



State of North Carolina
General Court of Justice
Twenty-Sixth Prosecutorial District
MECKLENBURG COUNTY

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DISTRICT ATTORNEY

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June 13, 2018

Chief Kerr Putney
Charlotte-Mecklenburg Police Department
601 East Trade Street, 3rd floor
Charlotte, NC 28202

Re: Charles Shoupe Death Investigation

Dear Chief Putney:

Pursuant to N.C.G.S. 7A-61, my office has reviewed the investigation surrounding the shooting death of Charles Shoupe on February 2, 2018. The case was investigated under complaint number 20180202130500. The purpose of this review was to examine whether the conduct of CMPD Officer D. Flynn was unlawful when he shot and killed the decedent.

The review of the evidence in this matter reveals that the decedent's mother called 911 to request Medic and reported that her son was attempting to kill himself, had already slashed his wrist, and was currently in possession of a knife. Three Charlotte Fire Department (CFD) firefighters arrived to the scene first and encountered the decedent wielding the knife and unwilling to put it down. The decedent continued to harm himself in the presence of the firefighters. Multiple witnesses to the events reported that the decedent made statements to the effect that he wanted to die that day and that he wanted police to shoot him. When the first CMPD officer, D. Flynn, arrived and exited his patrol car, the decedent charged at him with [the knife](#) raised in his right hand. Officer Flynn re-entered his car and backed up several yards, angling his car to put some distance between himself and the decedent. When Officer Flynn exited his patrol car again, the decedent continued to charge at Officer Flynn with the knife raised and refused to respond to commands to drop the weapon. Officer Flynn then fired at the decedent until the decedent stopped charging at him.

As you know, this letter specifically does not address issues relating to tactics, or whether officers followed correct police procedures or CMPD Directives.

I personally responded to the scene of this incident and monitored the investigation along with another senior Assistant District Attorney (ADA). I reviewed the investigative file as

provided by CMPD. Finally, consistent with the District Attorney's Office Officer-Involved Shooting Protocol, this case was presented to the District Attorney's Homicide Team, which is comprised of the office's most experienced prosecutors.

A. The role of the District Attorney under North Carolina law

The District Attorney (DA) for the 26th Prosecutorial District is a state official and, as such, does not answer to city or county governments within the prosecutorial district. The District Attorney is the chief law enforcement official of the 26th Judicial District, the boundaries of which are the same as the County of Mecklenburg. The District Attorney has no administrative authority or control over the personnel of CMPD or other police agencies within the jurisdiction. That authority and control resides with each city or county government.

Pursuant to North Carolina statute, one of the District Attorney's obligations is to advise law enforcement agencies within the prosecutorial district. The DA does not arrest people or charge people with crimes. When the police charge a person with a crime, the DA decides whether or not to prosecute the charged crime. Generally, the DA does not review police decisions not to charge an individual with a crime. However, in officer-involved shooting cases, the DA reviews the complete investigative file of the investigating agency. The DA then decides whether he agrees or disagrees with the charging decision made by the police. If the DA concludes that uncharged conduct should be prosecuted, the case will be submitted to a Grand Jury.

If no criminal charges are filed, that does not mean the District Attorney's Office believes the matter was in all respects handled appropriately from an administrative or tactical viewpoint. It is simply a determination that there is not a reasonable likelihood of proving criminal charges beyond a reasonable doubt unanimously to a jury. This is the limit of the DA's statutory authority in these matters. The fact that a shooting may be controversial does not mean that criminal prosecution is warranted. Even if the District Attorney believes a shooting was avoidable or an officer did not follow expected procedures or norms, this does not necessarily amount to a violation of criminal law. In these circumstances, remedies (if any are appropriate) may be pursued by administrative or civil means. The District Attorney has no administrative or civil authority in these matters. Those remedies are primarily in the purview of city and county governments, police departments and private civil attorneys.

B. Legal standards

The law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This core legal principle is referred to as the right to "self-defense." A police officer does not lose the right to self-defense by virtue of becoming a police officer. Officers are entitled to the same protections of the law as every other individual. An imminent threat to the life of a police officer entitles the officer to respond in such a way as to stop that threat.

Under North Carolina law, the burden of proof is on the State to prove beyond a reasonable doubt that a defendant did not act in self-defense. The Supreme Court of North Carolina defined the law of self-defense in State v. Norris, 303 N.C. 526 (1981). A killing is justified under North Carolina law if it appeared to a person that it was necessary to kill in order

to save himself or another from death or great bodily harm. The law requires that the belief in the necessity to kill must be reasonable under the circumstances. Id. at 530.

C. Use of deadly force by a law enforcement officer

The same legal standards apply to law enforcement officers and private citizens alike. However, officers fulfilling their sworn duty to enforce the laws of this State are often placed in situations in which they are required to confront rather than avoid potentially dangerous people and situations.

The United States Supreme Court stated, “[t]he ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” Graham v. Connor, 490 U.S. 386, 396 (1989). The Court further explained that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” Id. at 396–97. A situation in which an officer is confronting an armed person with uncertain motives is by definition dangerous, and such a circumstance will almost always be tense, uncertain and rapidly evolving. In these circumstances, we are not deciding whether the officer’s belief in the need to use deadly force was correct but only whether his belief in the necessity of such force was reasonable.

In conducting a legal analysis, this office must take its guidance from the law, and a decision must not be based upon public sentiment or outcry. The obligation of a District Attorney is clear; he must simply apply the law to the known facts.

What the law demands is an evaluation of the reasonableness of the officer’s decision at the moment he fired the shot. The Supreme Court of the United States has provided guidance on what is objectively reasonable and how such an analysis should be conducted. That guidance indicates that it is inappropriate to employ “the 20/20 vision of hindsight,” and an analysis must make “allowance for the fact that police officers are often forced to make split-second judgments.” *See Graham v. Connor*, 490 U.S. at 396. The Court suggests that when reviewing use of force cases, caution should be used to avoid analysis “more reflective of the ‘peace of a judge’s chambers’ than of a dangerous and threatening situation on the street.” Elliot v. Leavitt, 99 F.3d. 640, 643 (4th Cir. 1996).

D. The officer-involved shooting of Charles Shoupe

911 call

The decedent’s mother called 911 at 1:05 p.m. on February 2, 2018. In the call to 911, she stated that she needed Medic because her son had slashed his wrist and was trying to kill himself.¹ Additionally, she informed dispatch that the decedent still had the knife and would not let her have it.² The decedent can be heard in the background of the 911 call saying, “I’m going

¹ 911 transcript p.1.

² 911 transcript p.6.

to kill every cop out here³,” “I’ll kill everybody⁴,” and “Shoot me!⁵” As CFD was arriving, the decedent’s mother informed dispatch that “he’s holding a knife up....⁶” and later informed dispatch that he “keeps aiming at um... a fireman....⁷” She also advised dispatch when, in the presence of firefighters, her son began cutting himself again and that he had three huge slashes on his arm and was bleeding profusely.⁸ As police arrived, the decedent’s mother told dispatch, “A cop pulled up and he’s running at the cop with a knife.⁹” Shortly afterward, gunshots can be heard in the background.

Decedent’s mother

Detectives interviewed the decedent’s mother at the Law Enforcement Center (LEC) shortly after the incident. She informed detectives that the decedent had schizophrenia and bipolar disorder and had refused to take his medications the previous day. She said the decedent began acting strangely around 11:30 a.m. on February 2, 2018, and she called 911 after he retrieved a steak knife from the kitchen and cut himself on his left wrist. She stated that the decedent told her he was going to kill the police, and she told him that she was just calling Medic so that he could get some help. At that point, the decedent took the knife outside and went up the stairs leading to the street. When CFD arrived, the decedent’s mother stated that she told CFD the decedent had been saying he wanted to die. She further recalled, as one of the police cars came into view, the decedent ran toward the police car. She could not see what happened, but she heard approximately five shots.

CFD Capt. J. Stikeleather

CFD Capt. K. Stikeleather and CFD firefighters Bellina and Maschi were the first responding firefighters and contacted CMPD from the scene. Capt. Stikeleather informed police that CFD received a call regarding a suicide attempt, that the suspect was threatening to kill everyone, and that the suspect possibly had a knife. Capt. Stikeleather stated that as firefighters arrived, the decedent raised a knife at them. He could also see that the decedent had two or three cuts on his arm. Capt. Stikeleather and other CFD firefighters positioned themselves between the decedent and other civilians who were on the scene, and they tried to get him to drop the knife. Capt. Stikeleather said the decedent yelled back to him, “come on, come get me, come get me” and “the cops are gonna kill me, the cops are gonna shoot me....¹⁰” In addition, the decedent repeatedly stated, “I’m dying today.¹¹” Capt. Stikeleather reported that, prior to the arrival of the police, he witnessed the decedent take the knife and begin cutting himself midway on his arm. Capt. Stikeleather said the decedent did not appear to be feeling any pain¹² and he believed that the decedent was “hyped up on something.¹³”

³ 911 transcript p.1.

⁴ 911 transcript p. 4.

⁵ 911 transcript p.9 and 11.

⁶ 911 transcript p.10.

⁷ 911 transcript p12.

⁸ 911 transcript p12.

⁹ 911 transcript p13.

¹⁰ Stikeleather transcript p.4.

¹¹ Stikeleather transcript p.4.

¹² Stikeleather transcript p.5.

¹³ Stikeleather transcript p.5.

Capt. Stikeleather stated that when the first police officer arrived, he started walking to the officer to tell him what was going on. At that point, the decedent started running at the officer's car. Capt. Stikeleather said the decedent got within two or three feet of the front of the officer's car, at which point the officer put his car in reverse and backed up approximately 15 yards and parked his car at an angle. The officer then got out of his car while drawing his gun. Capt. Stikeleather reported that the officer gave commands for the suspect to get on the ground and drop the knife. The officer retreated around the back of the car, and the decedent followed him. The officer then fired a couple of shots, but the decedent continued to charge at the officer. The officer then fired a couple more times, Capt. Stikeleather said. At this point, the officer who was retreating around the car was now facing in the direction of Capt. Stikeleather and the other CFD officers, so they took cover. From this vantage point, Capt. Stikeleather did not see any more of the shooting. Capt. Stikeleather estimated that the decedent and the officer were about 15 feet apart when the officer fired his first shot and 6 feet apart when the officer fired his second shot. He believed that if the officer had not fired, the decedent would have stabbed the officer.

CFD R. Bellina

Detectives interviewed CFD firefighter R. Bellina at the LEC. He stated that firefighters were dispatched to 3205 Timberbrook Dr. When CFD arrived, the decedent started approaching them with a knife. Bellina noted that the decedent already had lacerations to his left arm. Bellina said he attempted to get the decedent to calm down. Bellina reported hearing the decedent say he wanted to die and that he was "gonna wait for the cops to show up so the cops will have to shoot him..."¹⁴ At one point, the decedent began walking toward bystanders on the scene, and Bellina redirected the decedent to keep anyone else from getting hurt. Bellina said he observed the decedent cutting into his arm, before later trying to push the steak knife into his chest. Bellina recalled that when the CMPD officer arrived, Capt. Stikeleather started walking toward the officer, and the decedent ran past him toward the officer.¹⁵ The officer then got back into his vehicle and backed up to get into a better position to get out of his vehicle, Bellina said. The officer exited his vehicle with his firearm drawn. He told the decedent several times to put down the knife and that he didn't want to shoot him.¹⁶ Bellina reported that the officer was walking backward around his vehicle as the decedent continued to run at him with the knife. The officer and the decedent completed a full revolution around the officer's car.¹⁷ Bellina noted that he then heard five shots but believed there could have been more. Bellina said it looked like the officer was shooting down at the decedent as if he was "trying to aim down and hit him more in the midrange, legs, and whatnot, put him down."¹⁸ Bellina estimated that the decedent was between 3 and 6 feet from the officer with the knife raised in his right hand.¹⁹

CFD Maschi

Detectives interviewed CFD Firefighter R. Maschi at the LEC. He advised that, upon arriving to the scene, he encountered the decedent with a serrated steak knife in his right hand and bleeding from his left arm. He stated that the decedent cut himself again in firefighters'

¹⁴ Bellina transcript p.1 and 9.

¹⁵ Bellina transcript p.2.

¹⁶ Bellina transcript p.3.

¹⁷ Bellina transcript p.13.

¹⁸ Bellina transcript p.6.

¹⁹ Bellina transcript p.11.

presence. Maschi stated that as they attempted to talk the decedent into putting the knife down, the decedent told them that he wanted to commit suicide, that he wanted the police to kill him, and that he wanted to “kill all the cops.”²⁰ Maschi reported that at times during the encounter, the decedent raised the knife toward him and Capt. Stikeleather, but Maschi had a firefighting tool that he used to keep his distance from the decedent. Maschi stated that when the first officer arrived, the decedent ran toward the police car with the knife out. The officer then backed his car up about 50 feet so that he could get out of the car. The officer got out of his car with his gun drawn and the decedent went around the front of the car toward the officer. Maschi said the decedent was moving at a fast walk to a jog.²¹ The officer backed around the back of the car while giving commands to drop the knife, telling the decedent that he did not want to shoot him, but the decedent kept advancing.²² Maschi estimated hearing six or seven shots.²³ He further estimated that there was approximately 10-12 feet between the decedent and the officer when the officer started shooting. Maschi reported that once the shooting stopped, firefighters responded to treat the patient who was conscious but not responsive to questions.

Officer D. Flynn

Officer D. Flynn was interviewed at the LEC on February 5, 2018. Officer Flynn stated that he proceeded toward Timberbrook Drive on February 2, 2018, after hearing a call about a guy running around with a knife. Officer Flynn reported that when he arrived, he saw four firefighters in front of a fire truck. He then saw the decedent, who he did not recall ever encountering before. He reported the decedent “had his eyes locked onto the car,” and “he was sprinting - it looked to me as fast as he could.”²⁴ The decedent had an item in his right hand held over his right shoulder in the manner in which someone would position a weapon to make a “stabbing motion.”²⁵ Officer Flynn could tell the item the decedent was holding was metal and appeared bloody, and he estimated there to be about 4 inches coming out of the handle. Officer Flynn could not tell whether it was a knife or some kind of metal stake.²⁶ Officer Flynn stated he then put the car into reverse, drove back about 30 feet, and parked the car at an angle so that he could safely exit his vehicle. He temporarily lost sight of the decedent.²⁷

Officer Flynn said he believed it was his responsibility to engage the subject because there were firefighters and bystanders on scene.²⁸ Officer Flynn stated that he exited the car and immediately yelled as loudly as he could to put down the knife, but the decedent continued coming with his eyes locked on Officer Flynn.²⁹ Officer Flynn said he also told the decedent that if he proceeded, he would be forced to shoot him.³⁰ Officer Flynn recounted that the decedent came around the nose of his car, and Officer Flynn kept his gun pointed on him. As the decedent came around the nose of Officer Flynn’s car, Officer Flynn began retreating. Officer Flynn stated

²⁰ Maschi transcript p.2-3, 7.

²¹ Maschi transcript p.16.

²² Maschi transcript p.9.

²³ Maschi transcript p.9.

²⁴ Flynn transcript p.8.

²⁵ Flynn transcript p.8.

²⁶ Flynn transcript p.9.

²⁷ Flynn transcript p.9-10.

²⁸ Flynn transcript p.10.

²⁹ Flynn transcript p.10-11.

³⁰ Flynn transcript p.11.

that he was moving backward and sideways, and the decedent was moving forward with his eyes locked on Officer Flynn. After rotating about 180 degrees counterclockwise to the passenger side of the car, Officer Flynn fired for the first time.³¹ Officer Flynn estimated the decedent was approximately 10 feet from him when he fired the first shot.³²

Officer Flynn stated that when he fired, he felt he was facing an imminent threat of serious bodily injury or death.³³ He said he delayed shooting the decedent as long as he could to give him a chance to respond to commands.³⁴ Officer Flynn stated that he chose not to use his Taser as both he and the decedent were moving, and Officer Flynn believed hitting the decedent with both Taser probes under these circumstances would be too difficult of a shot.³⁵ Officer Flynn said he fired multiple shots believing that he was hitting the decedent, but he did not see the decedent react in his face or his speed of approach as if he had been hit by a bullet.³⁶ Officer Flynn believed the decedent may have been under the influence of some sort of stimulant.³⁷ He reported that he did not see any reaction from the decedent until approximately his fifth shot, at which point he saw the decedent slightly raise his shoulders. Officer Flynn said after that brief reaction, the decedent resumed running at him, knife in hand, and with his eyes locked on him.³⁸ Officer Flynn stated that the decedent was still moving forward, and Officer Flynn continued to fire while retreating around the front and then to the driver's side of the car. Flynn reported rotating more than 360 degrees around the car while firing an estimated 8-10 rounds.³⁹ An ammunition count revealed nine rounds missing from Officer Flynn's gun, and nine spent shell casings were located in a circular pattern around Officer Flynn's car. [\[1\]](#) [\[2\]](#). Officer Flynn stated that he was aiming at the decedent's center mass but with a slightly lower trajectory so that, if a shot missed, the amount of distance that the bullet would travel would be minimized.⁴⁰ Officer Flynn estimated that although the decedent had not yet gotten close enough to stab him, the decedent was as close as 5 feet and gaining ground on Officer Flynn.⁴¹ Officer Flynn stated that, upon his last shot, the decedent finally slowed down and slowly sunk to the ground.⁴² The decedent then dropped the knife out of Officer Flynn's view.⁴³ At that point, Sgt. Dunn arrived and removed Officer Flynn from the scene.

Officer J.K. Porter

Officer Porter was interviewed at the LEC on the afternoon of February 2, 2018. Officer Porter stated that when he arrived on the scene, he drove up behind Officer Flynn's car and saw Officer Flynn moving backward counterclockwise around his car as fast as he could. Officer Porter observed Officer Flynn firing shots at the decedent, who was charging Officer Flynn with

³¹ Flynn transcript p14-15.

³² Flynn transcript p.22.

³³ Flynn transcript p.14.

³⁴ Flynn transcript p.30.

³⁵ Flynn transcript p.15.

³⁶ Flynn transcript p.15-16.

³⁷ Flynn transcript p.16.

³⁸ Flynn transcript p.35.

³⁹ Flynn transcript p.16.

⁴⁰ Flynn transcript p.33.

⁴¹ Flynn transcript p.22-23.

⁴² Flynn transcript p.16.

⁴³ Flynn transcript p.18.

a knife in his hand.⁴⁴ Officer Porter estimated Officer Flynn fired three to six shots, as the decedent moved forward without any sign of stopping. Officer Porter remained next to his car while giving commands to the decedent to drop the knife. Officer Porter observed the decedent come around the front of Officer Flynn's car and sit down. Officer Porter stated it appeared the decedent sat down because he was injured, not because he was complying with commands.⁴⁵ Officer Flynn had stopped behind the trunk of his patrol vehicle. Officer Porter stated that if the decedent had not fallen when he did, Officer Porter probably would have himself fired as well.⁴⁶ Officer Porter said after the decedent sat down, he dropped the knife. When officers rolled the decedent over, they located the knife in between his legs. Officer Porter moved the knife and told Officer Rodriguez to stand by it. Officer Porter advised that he had previous contact with the decedent, whom he knew to have a very serious case of paranoid schizophrenia.

Officer J. Calabro

Officer Calabro was interviewed at the LEC on the afternoon of February 2, 2018. He stated he did not witness the shooting but heard approximately five gunshots being fired, and he moved to the fire truck for cover. He then saw Officers Porter and Flynn with their guns drawn. Officer Calabro recalled seeing Officer Rodriguez kick a knife away from under the decedent's knee.

Officer Rodriguez

Officer Rodriguez was interviewed by detectives at the LEC shortly after the incident. Officer Rodriguez stated he did not see the shooting because his view was blocked by the fire truck, but he heard five to six shots. He approached with his gun drawn and, when he arrived at the scene of the shooting, he re-holstered his gun and stood by to watch the knife.

Medic witness 1

A crew member for Mecklenburg Emergency Medical Services was present on the scene and was interviewed at Carolinas Medical Center-Main. This witness observed CFD firefighters talking with the decedent but was too far away to hear what was being said. The witness observed an officer pull up to within approximately 30 feet of the decedent when the decedent turned and looked toward the officer's car and started walking in that direction. The witness believed that the decedent was trying to get someone to shoot him, based on his posture and body language. Specifically, the witness recalled the decedent walked toward the police car with his shoulders forward and with the knife raised in a stabbing position above his head. This witness observed the officer put his car into reverse and start backing away from the decedent. As the officer backed out of the witness' view, he saw the decedent walking toward the car with the knife up while the car was backing away from the decedent. The witness estimated he heard close to 10 gunshots, but he could not see who was shooting. While providing aid to the decedent, he saw an officer standing over a steak knife on the asphalt about 5 feet away from the decedent's feet.

⁴⁴ Porter transcript p.11.

⁴⁵ Porter transcript p.15.

⁴⁶ Porter transcript p.13.

Civilian witness 1

This witness was interviewed at the scene and reported that he was sitting in the Mercury Grand Marquis next to where the shooting occurred. He stated that the decedent charged the officer with the knife despite being told not to do so by the officer and bystanders in the area. This witness said the decedent was holding the raised knife in his right hand in a “stabbing motion.” He reported hearing shots fired, but he ducked down into the floorboard and did not see what actually happened.

Neighbor 1

A neighbor of the decedent was interviewed by detectives at the LEC and informed police that he had witnessed the decedent cutting his own arm and saw the decedent’s mother standing behind the decedent while on the phone with Medic. The neighbor reported hearing the decedent talking about how he wanted to die. The neighbor said he drove to the store and, when he returned, he saw the decedent standing in the parking lot holding the same knife. The decedent then started charging at a police officer with the knife. The neighbor stated that the officer told the decedent several times to drop the knife.

Neighbor 2

A second neighbor reported to police that he was in his apartment and heard gunshots. He looked out his window and saw a white male, the decedent, walking toward a police officer. The officer was walking backward and said something to the decedent. The decedent was walking toward the officer and not stopping. This witness then heard additional shots and saw the decedent fall to the ground.

E. Video evidence

Body-worn camera (BWC) footage capturing the incident was obtained from Officers Flynn and Porter. Officer Flynn’s BWC was obstructed by his outstretched arms during the actual shooting, but the video captured the events just before the shooting. The decedent can be seen approaching Officer Flynn’s car, with a knife raised as Officer Flynn arrived. [\[1\]](#) [\[2\]](#). Officer Flynn’s BWC captured him [exiting the vehicle with the decedent still approaching after he reversed and positioned the car at an angle](#). Officer Porter’s BWC captured Officer Flynn retreating around his patrol car as the decedent continued to chase him with the knife. [\[1\]](#) [\[2\]](#) [\[3\]](#) [\[4\]](#). Officer Porter’s BWC also captured [the decedent sitting down with the knife still raised after having been shot](#).

F. Autopsy Report

The autopsy conducted on the decedent revealed four separate gunshot wounds. There was 1) a gunshot wound of the abdomen, pelvis, and right leg with a downward trajectory, 2) a gunshot wound of the right front upper leg with a downward trajectory, 3) a gunshot wound of the left front upper leg with re-entry into the right leg and a downward trajectory and 4) a gunshot wound to the left side of the left leg near the knee exiting the right side of the left knee. The autopsy also revealed five cutting wounds to the left forearm and wrist.

A copy of the Medical Examiner’s report is attached as an exhibit to this report.

H. Responsible transparency

My office routinely provides the public with detailed reports containing analysis and evidence to more effectively communicate the facts of officer-involved shootings and the decision-making process used by this office. Responsible transparency is also the basis upon which I have asked that evidence, including police videos, only be released after my prosecutors and I have completed a review of the investigation, in light of our obligation to protect the integrity of every investigation and to preserve, should someone be charged, the defendant's right to a fair trial. In this case, and in many such cases, there were witnesses who refused to speak to the police about the shooting. Releasing video prior to this office having an opportunity to attempt to interview such witnesses allows for the real possibility that witnesses may change their story to comport with evidence released in the media. For these reasons, this office objected to release of the body-worn camera video prior to our completion of the investigation.

I. Conclusion

It is undisputed that Officer Flynn fired his weapon multiple times, striking the decedent. Therefore, the central issue in this review is whether or not Officer Flynn was justified under North Carolina law in using deadly force. A police officer – or any other person – is justified in using deadly force if he in fact believed that he or another person was in imminent danger of great bodily harm or death from the actions of the person who was shot and if his belief was reasonable. The statements of multiple first responders and civilian witnesses, as well as the 911 call from the decedent's mother and BWC footage, corroborate Officer Flynn's account of the events in which the decedent continued to run at him with a raised knife while ignoring commands to stop. As such, Officer Flynn faced an imminent threat of great bodily harm or death, and it would be impossible for the State to prove Officer Flynn did not act in self-defense when he fired at the decedent. Consequently, I will not be seeking charges related to the death of Charles Shoupe.

If you have any questions, please contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "Spencer B. Merriweather III".

Spencer B. Merriweather III
District Attorney

Exhibits:

The knife wielded by the decedent.

[Return](#)



Officer Flynn's BWC showing the decedent's initial approach to his vehicle.

[Return](#)



Officer Flynn's BWC showing the decedent's initial approach to his vehicle.

[Return](#)



The decedent continued toward Officer Flynn after Officer Flynn reversed and angled his car.

[Return](#)



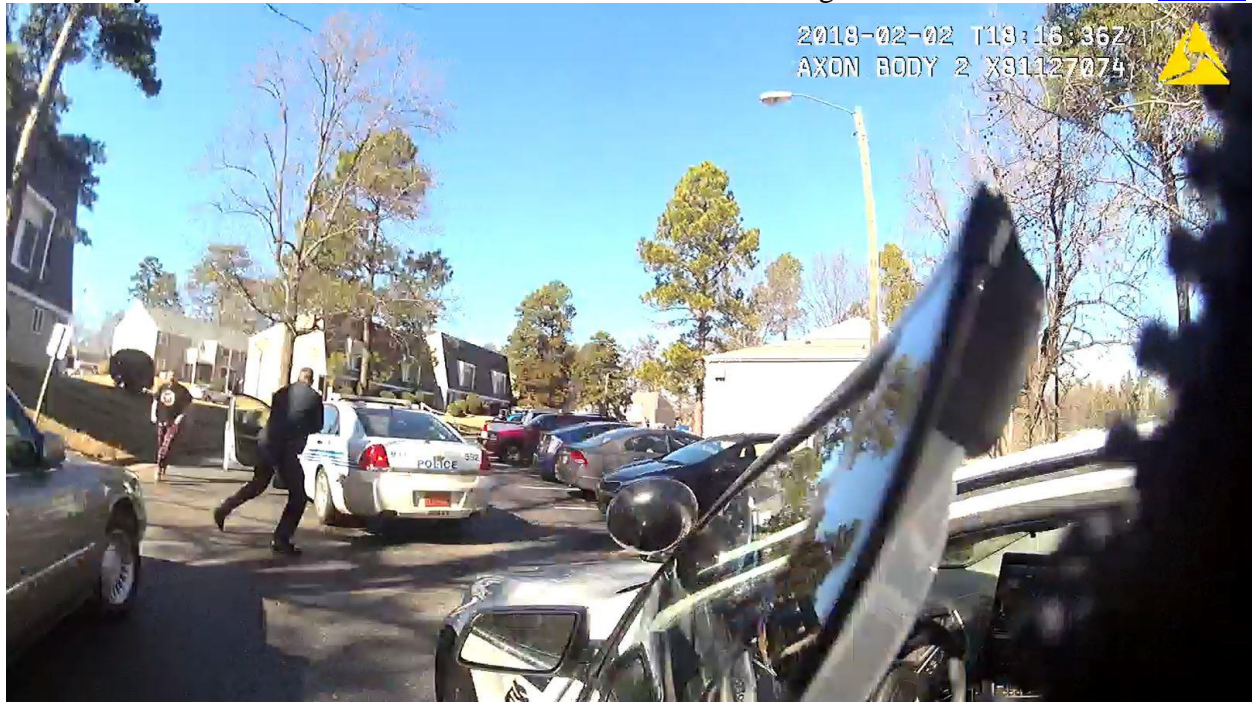
Officer Porter's BWC captured the decedent coming around the front of Officer Flynn's car after Officer Flynn had completed a complete revolution of the vehicle.

[Return](#)



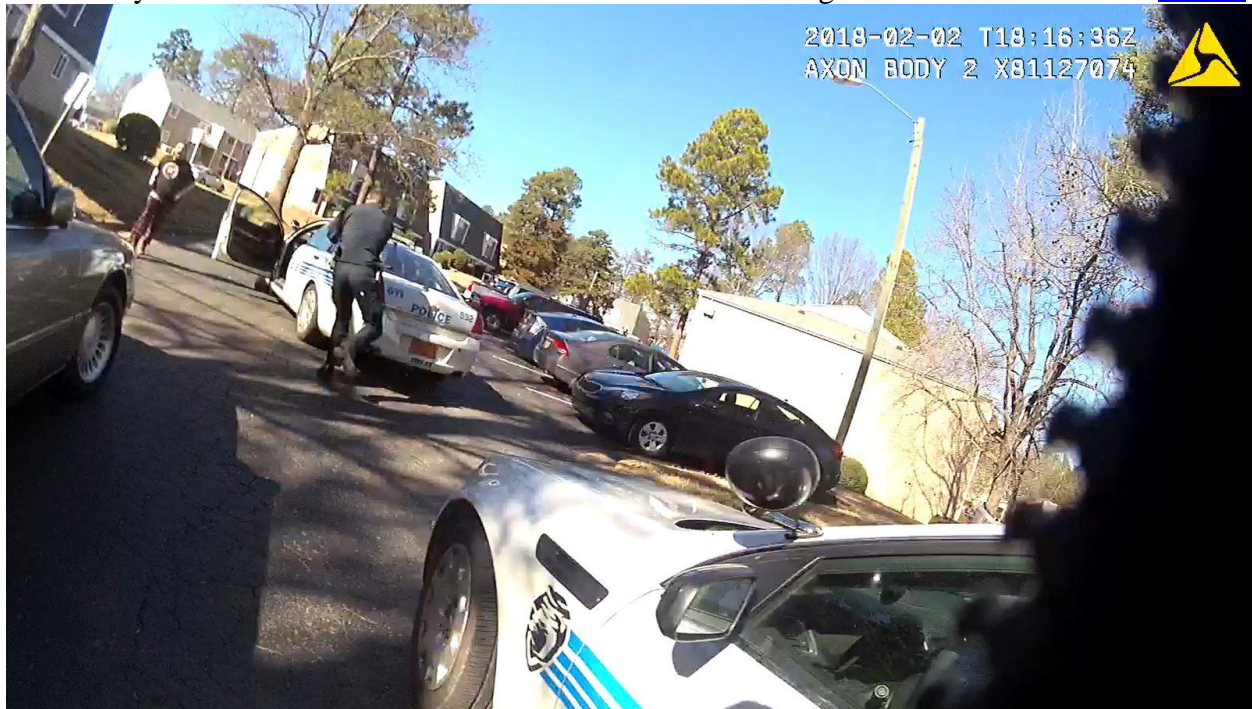
Officer Flynn continues to retreat around his vehicle while firing.

[Return](#)



Officer Flynn continues to retreat around his vehicle while firing.

[Return](#)



The raised knife in the decedent's hand.

[Return](#)



The decedent still holding the raised knife after falling to the ground.

[Return](#)



Officer Flynn's shell casings were located in a circular pattern around the patrol car.

[Return](#)




Officer Flynn's shell casings were located in a circular pattern around the patrol car.

[Return](#)



Exhibit 1

Charlotte Mecklenburg Police Department Supplement Report @				COMPLAINT NUMBER 20180202130500	Page # 1 of 17
2. Victim Name			3. Original Offense / Charge		
4. Location Of Offense			5. Arrest Number	6. C.R. Number	
7. Original Report Date		8. Supplement Date		9. Correct Incident Classification	
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call	

Caller ([REDACTED]): Go help him <Talkover - inaudible>...I'm on the phone.

911 operator: Charlotte 911, do you need Police, Fire or Medic?

Caller ([REDACTED]): Um I need Medic my son slashed his <Talkover - inaudible>

911 operator: One second for Medic, hold on for Medic. Hold on for Medic.

(Connecting to Medic)

Caller ([REDACTED]): No I'm calling <Talkover - inaudible>

Medic: Medic and County Fire, what is the address of the emergency?

Caller ([REDACTED]): It's 3205 Timberbrook Drive apartment C.

Victim (Shoupe): (In background) <Inaudible>...every cop out here.

Caller ([REDACTED]): <Talkover - inaudible>

Medic: <Talkover - inaudible>...I found that, just <Inaudible>...right place.

Caller ([REDACTED]): Okay.


Victim (Shoupe): (In background) <Inaudible>

Caller ([REDACTED]): Just stay in here <Inaudible>

Medic: Mam repeat that address for me.

Caller ([REDACTED]): It's 3205 apartment C Timberbrook Drive. My son slashed his wrist, he's bleeding very bad he's trying to kill his self.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer Code Assignment Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

Charlotte Mecklenburg Police Department						COMPLAINT NUMBER 20180202130500		Page # 2 of 17	
2. Victim Name						3. Original Offense / Charge			
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7. Original Report Date			8. Supplement Date			9. Correct Incident Classification			
10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

Medic: Okay mam we're trying to get some help out to you okay but I gotta get some information from you, what's the phone number that you're calling from?

Caller ([REDACTED]): Uh [REDACTED].

Medic: Okay mam repeat that one more time as well okay.

Caller ([REDACTED]): [REDACTED].

Medic: Okay mam now where are you right now, are you in a safe place?

Caller ([REDACTED]): We're in apartment.

Medic: Okay, are you safe where you're at?

Caller ([REDACTED]): <Inaudible>...uh yeah.

Victim (Shoupe): (In background) <Inaudible>

Caller ([REDACTED]): He...


Medic: Okay mam.

Caller ([REDACTED]): He...he slashed his wrist, he's bleeding very bad.

Victim (Shoupe): (In background) <Talkover - inaudible>

Medic: Okay mam I understand, we're already getting help out to you okay but I'm gonna tell you how to stop the bleeding. Listen carefully to make sure we get it correct. Okay?

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer				Code		Assignment		Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To				26. Reviewing Supervisor, Code, Date					

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7. Original Report Date			8. Supplement Date			9. Correct Incident Classification			
10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

Caller ([REDACTED]): What?

Medic: I'm gonna help you stop the bleeding okay, listen carefully to make sure we do it correct.

Caller ([REDACTED]): Okay.

Medic: Stay with me one second okay <Inaudible>...help started out to you.

Caller ([REDACTED]): Okay.

Medic: Are you there with him now?

Caller ([REDACTED]): Um yeah <Inaudible>...I'm trying to get a towel.

Medic: Okay get a clean dry cloth or towel and place it right on the wound, press down firmly and don't lift it up to look okay, tell me when you've done that.

Caller ([REDACTED]): And tell him to hold it up?

Medic: No mam we don't want him to hold it up okay.


Victim (Shoupe): (In background) <Talkover - inaudible>

Medic: Like I said I just want you to get a clean dry cloth or towel and place it right on the wound...

Caller ([REDACTED]): <Talkover - inaudible>...let me put this around.

Medic: ...and press down firmly okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer Code Assignment Date			
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To		26. Reviewing Supervisor, Code, Date	

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7. Original Report Date		8. Supplement Date		9. Correct Incident Classification	
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call	

Caller ([REDACTED]): He...he won't let me, he won't let me. He's schizophrenic, he hasn't took his medicine.

Medic: Okay mam don't...don't do it if he won't let you okay but I already have help coming to you but I gotta get some information from you okay.

Caller ([REDACTED]): <Talkover - inaudible>...okay.

Medic: How old is he?

Caller ([REDACTED]): 27.

Medic: Okay mam, just to confirm, is he awake?

Caller ([REDACTED]): Yes.

Medic: Is he breathing?

Caller ([REDACTED]): Yes.

Medic: Okay mam one second. Okay is he violent?


Caller ([REDACTED]): Not to anybody just himself.

Medic: Okay does he have a weapon?

Victim (Shoupe): (In background) <Inaudible>

Caller ([REDACTED]): Um not on him right now no.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer Code Assignment Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

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7. Original Report Date			8. Supplement Date			9. Correct Incident Classification			
10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

Medic: Okay but does he have access to it?

Caller ([REDACTED]): Um he took a knife to his room...a kitchen knife. <Talkover - inaudible>

Medic: Where is he right now?

Caller ([REDACTED]): He went back to his room. Charlie come in here, it's okay, the...the uh...the ambulance is coming to help you. Put...put the knife in the sink.

Victim (Shoupe): (In background) No.

Caller ([REDACTED]): Charlie? <Inaudible>...stay here, don't go outside...with that Charlie please, come here.

Medic: Is...

Caller ([REDACTED]): Ch... He went outside sir.

Medic: He went outside?

Caller ([REDACTED]): <Talkover - inaudible> Yes.


Medic: <Talkover - inaudible>

Caller ([REDACTED]): With a knife.

Medic: Okay where did he go outside, just walked outside the apartment or where?

Caller ([REDACTED]): <Talkover - inaudible>...he's standing right at the steps.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer Code Assignment Date			
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To		26. Reviewing Supervisor, Code, Date	

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7. Original Report Date		8. Supplement Date		9. Correct Incident Classification	
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes	13. Purpose Of Supplement [REDACTED] – 911 call		

Medic: You said he has the knife?

Caller ([REDACTED]): Yes, he won't let me have it.

Medic: <Talkover - inaudible>

Caller ([REDACTED]): He's just standing there smoking a cigarette. Oh my God...he hadn't took his schizophrenia medicine, he took it this morning but he take it yesterday at all.

Medic: Okay. Okay mam and now...I know you said he's not with you anymore but last time you talked to him was he completely alert?

Caller ([REDACTED]): He's...he's um...he's out here talking to a neighbor now.

Medic: Okay.

Caller ([REDACTED]): Um... I got...

Medic: <Talkover - inaudible>

Caller ([REDACTED]): <Talkover - inaudible> um...


Medic: Okay mam, like I said, we do have help coming to you okay, I'm sending the paramedics to help you now <Talkover - inaudible>

Caller ([REDACTED]): Okay.

Medic: <Talkover - inaudible>

Victim (Shoupe): (In background) <Inaudible>...cops.

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded		23. Reporting Officer		Code	Assignment	Date
22. Investigative Status] Active] Inactive] Closed] Administrative		25. Case Referred To		26. Reviewing Supervisor, Code, Date		

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10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

Medic: If it is safe to do so observe him continuously but beware of being attacked okay. Like I said, if it is safe to do so, protect him from himself but I know you said he's standing there with a knife okay
<Talkover - inaudible>

Caller ([REDACTED]): <Inaudible>...try to get it from him.

Medic: Okay mam I don't want you to put yourself in any danger okay.

Caller ([REDACTED]): I'm sorry.

Medic: <Talkover - inaudible>

Caller ([REDACTED]): <Inaudible>...just slowly to your apartment he...he's not gonna hurt you. He's just...

Unknown: <Inaudible>

Medic: Okay mam...

Caller ([REDACTED]): <Inaudible>...where are they?


Victim (Shoupe): (In background) <Inaudible>

Medic: Mam we got everybody coming as fast as they can <Inaudible> gonna help her, they're gonna help him.

Caller ([REDACTED]): Okay <Talkover - inaudible>

Medic: Okay mam I'm gonna stay right here with you until they get there okay.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer				Code		Assignment		Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To				26. Reviewing Supervisor, Code, Date					

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10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call	

Caller ([REDACTED]): He's never done this before. I <Inaudible>... yesterday and they wouldn't make him go to the hospital.

Medic: Okay but he's never done anything like this before yesterday?

Caller ([REDACTED]): No. Charlie stay here.

Medic: Okay. Did he actually do anything yesterday mam or did he just threaten anything yesterday?

Caller ([REDACTED]): No he was just um... ya know, schizophrenic, he wasn't making sense, just real paranoid.

Medic: So that's what happened yesterday?

Caller ([REDACTED]): Yes.

Medic: <Talkover - inaudible>...actually do anything?


Caller ([REDACTED]): No.

Medic: Oh okay.

Caller ([REDACTED]): Um but I've called the um Medic on him to come and take him to Mental Health but he wouldn't go and the Police and Medics <Inaudible>...they can't make him go no where.

Medic: Okay mam well like I said we're coming right back to him today okay we're gonna get him some help.

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded		23. Reporting Officer		Code	Assignment	Date
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7. Original Report Date		8. Supplement Date		13. Purpose Of Supplement	
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		[REDACTED] - 911 call	

Caller ([REDACTED]): <Inaudible>...I'm just standing <Inaudible> I hear the um sirens now.
Oh my God...

Medic: <Inaudible>...you said you hear the Fire Department?

Caller ([REDACTED]): I do, I hear sirens I can't...I don't...I don't see 'em yet I just hear 'em.

Medic: Alright mam <Talkover - inaudible>

Caller ([REDACTED]): Charlie put the knife down...<Talkover - inaudible>

Victim (Shoupe): (In background) Shoot me!

Caller ([REDACTED]): Oh my God now he's saying shoot me.

Victim (Shoupe): (In background) <Inaudible>

Caller ([REDACTED]): Oh God he's saying shoot me but <Inaudible>...he won't put the knife down.

Medic: <Talkover - inaudible>


911 operator: What's he wearing so we recognize who he is when we come up?

Caller ([REDACTED]): He's got on red and blue flannel pajama pants and a black tee shirt with a red circle and a star <Inaudible> He's big, he's about 280 pounds.

911 operator: He's a white male, black male?

Caller ([REDACTED]): White...he's white, with dark hair and uh... short hair, gray tennis shoes.

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded		23. Reporting Officer		Code	Assignment	Date
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10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

911 operator: What color did you say the tee shirt was with the star?

Caller ([REDACTED]): It's black with a red star <Inaudible> circle on the front of the shirt say's "Born to Fly" on it.

911 operator: Okay.

Caller ([REDACTED]): <Inaudible>...oh God the Fire departments here.

Medic: But mam is the Fire department there with you?

Caller ([REDACTED]): No they're just now pulling up.

Medic: Okay.

Caller ([REDACTED]): Uh he's holding a knife up, oh my God... He's really stressed because he's got a court date Monday.

Medic: Okay.

Caller ([REDACTED]): Um...


Medic: Mam is the Fire department getting out of their truck or are they still in <Talkover - inaudible>

Caller ([REDACTED]): Yeah they're...they're talking to him, they're telling him to put the knife down and he's just backing up from 'em.

Medic: Okay mam.

Caller ([REDACTED]): Um the EMT's here to Medic.

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded				23. Reporting Officer Code Assignment Date			
22. Investigative Status] Active] Inactive] Closed] Administrative				25. Case Referred To		26. Reviewing Supervisor, Code, Date	

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7. Original Report Date			8. Supplement Date			9. Correct Incident Classification			
10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call			

Medic: <Talkover - inaudible>

Caller ([REDACTED]): I don't see any Police yet.

Medic: Okay well they should be coming as well.

Caller ([REDACTED]): Yeah. <Inaudible>...talking to the Fire department, they're trying to talk, ya know, reasonable to him.

911 operator: He still has the knife in his hand?

Caller ([REDACTED]): I'm sorry?

911 operator: Does he still have the knife in his hand?

Caller ([REDACTED]): Yes he does.


911 operator: Okay.

Caller ([REDACTED]): And the Fire departments walking around him trying to...talk to him he's walking away and they got people out here filming it...neighbors and stuff on their cell phones. Oh this is... He's never been like this before, I don't think his doctors have him on the right kind a schizophrenic medication...cause it don't help, he's been in the hospital three times within the month. He's...he's been diagnosed since he's 19 and he's 27. Oh my God... I want the Police to hurry and get here. <Inaudible>

Victim (Shoupe): (In background) Shoot me!

(Inaudible background conversation)

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded				23. Reporting Officer Code Assignment Date			
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10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call		

Caller ([REDACTED]): Charlie stop it!

(Inaudible background conversation)

Caller ([REDACTED]): Oh God he's...he's...keeps aiming at a um...a fireman, he's got...the fireman's got like a big axe thing. <Inaudible>...Charlie stop! Charlie stop! He's cutting his <Inaudible>... Stop!!

Medic: Mam what's going on there?

Caller ([REDACTED]): He's cutting his arm again!! Oh God!

Medic: Okay mam just... I know...<Talkover - inaudible>

Caller ([REDACTED]): Why can't the Police hurry?

Medic: Mam you...you have to calm down for him okay, the more you get upset the more he's gonna get upset okay.

Caller ([REDACTED]): <Inaudible>... he's not even paying attention to me! He's not even <Inaudible> Oh God <Talkover - inaudible>


Medic: We can't hear you when you scream. Mam what's going on?

Caller ([REDACTED]): <Inaudible>...he's trying to cut his <Inaudible>...three huge slashes on his arm, he's bleeding everywhere.

Medic: Are they able to get a hold of him yet?

Caller ([REDACTED]): No...

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded				23. Reporting Officer Code Assignment Date			
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10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call	

Medic: Okay.

Caller ([REDACTED]): ...he keeps walking away from 'em ...

Medic: <Talkover - inaudible>

Caller ([REDACTED]): ...and he's just bleeding everywhere.

Medic: <Talkover - inaudible>

Caller ([REDACTED]): A cop pulled up and he's running at the cop with a knife...

Medic: Mam?

Caller ([REDACTED]): Oh my God.

Medic: Mam stop screaming okay...don't make him any more upset okay let them handle it.

Caller ([REDACTED]): He...he's way down...he's way down the road now.

Medic: Okay.

Caller ([REDACTED]): Oh my God.


Medic: He laid down the knife now?

Caller ([REDACTED]): Oh God!!! Oh... (Inaudible screaming)

(Gunshots being fired in background)

Caller ([REDACTED]): (Inaudible screaming)

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded		23. Reporting Officer		Code	Assignment	Date
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10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes	13. Purpose Of Supplement [REDACTED] – 911 call		

Medic: Mam...Mam...Mam...

Caller ([REDACTED]): (Inaudible screaming)

Medic: ...I need you try to be calm okay...you gotta be calm.

Caller ([REDACTED]): (Inaudible screaming)

Medic: Let them do their job mam. <Inaudible>

Caller ([REDACTED]): <Inaudible>

Medic: Mam please stay in your house okay.

Caller ([REDACTED]): Did they kill my son!? Did they... Did they kill my son!? Oh my God!

Medic: Mam try to stay calm okay, you need to stay right there where you're at.

Caller ([REDACTED]): <Inaudible>


(Inaudible background conversation)

Caller ([REDACTED]): (Inaudible screaming)... Why'd you kill my... Did yall kill him!? Ohhh nooo!!!

<Talkover - inaudible>

Caller ([REDACTED]): No! <Talkover - inaudible>

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer Code Assignment Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date

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10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call		

Medic: Alright mam I'm gonna let you go, hang up the phone and talk with the Police officers there.

Caller ([REDACTED]): <Talkover - inaudible>...did they kill ... (Inaudible screaming)

(Inaudible background conversation)

Caller ([REDACTED]): (Inaudible screaming)...told them yesterday take him to Mental Health and they wouldn't! I called the Medic <Talkover - inaudible>

(Inaudible background conversation)

Caller ([REDACTED]): Did yall kill <Inaudible>... Oh my God!

(Inaudible background conversation)

Caller ([REDACTED]): (Crying / screaming)

(Inaudible background conversation)

Caller ([REDACTED]): <Inaudible>

(Inaudible background conversation)


Caller ([REDACTED]): <Inaudible>

(Inaudible background conversation)

Caller ([REDACTED]): (Inaudible screaming)...killed my son!! Why!? Let me go...

(Inaudible screaming)...

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer Code Assignment Date	
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To	26. Reviewing Supervisor, Code, Date

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10. Juvenile Case Yes No		11. Multiple Case Clearance Yes No		12. Supplement Confidential No Yes		13. Purpose Of Supplement [REDACTED] – 911 call	

Caller ([REDACTED]): <Inaudible>...please...oh my God! <Inaudible>

Unknown: <Inaudible>

Caller ([REDACTED]): <Inaudible>

Unknown: <Inaudible>

Caller ([REDACTED]): <Inaudible>...killed my son <Inaudible>...I called the Medic
<Inaudible>... 27...<Inaudible>

(Inaudible background conversation)

Caller ([REDACTED]): <Inaudible>

Unknown: <Inaudible>

Caller ([REDACTED]): <Inaudible>

Unknown: <Inaudible>

Caller ([REDACTED]): Oh my God!

Unknown: <Inaudible>


<Talkover - inaudible>

Caller ([REDACTED]): They killed... they killed <Inaudible>...

(Inaudible background conversation)

Unknown: There's more tape on the truck.

21. UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				23. Reporting Officer Code Assignment Date			
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative				25. Case Referred To		26. Reviewing Supervisor, Code, Date	

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7. Original Report Date		8. Supplement Date		9. Correct Incident Classification					
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes	13. Purpose Of Supplement [REDACTED] – 911 call						


(Inaudible background conversation)

(Recording stops)

JD/rge

21. UCR Clearance Status] Open] By Arrest] Exceptional] Unfounded				23. Reporting Officer Code Assignment Date			
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Exhibit 2

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2. Victim Name OIS				3. Original Offense / Charge OIS		
4. Location Of Offense 3205 Timberbrook Dr.				5. Arrest Number		6. C.R. Number
7. Original Report Date 02/02/2018		8. Supplement Date		9. Correct Incident Classification		
10. Juvenile Case Yes No	11. Multiple Case Clearance Yes No	12. Supplement Confidential No Yes		13. Purpose Of Supplement Interview with James Robert Stikeleather		

THIS TRANSCRIPT WAS REVIEWED BY DETECTIVE R.E. COLLINS #4987 ON 02/06/2018 AT 0846 HOURS.

TODAY'S DATE IS FEBRUARY 2ND 2018; THE CURRENT TIME IS 1443 HOURS. THIS'LL BE A RECORDED INTERVIEW IN REFERENCE TO COMPLAINT NUMBER 20180202130500. PRESENT DURING THE INTERVIEW IS DETECTIVE B. G. FITCH, DETECTIVE R. E. COLLINS. ALSO PRESENT IS CHARLOTTE FIRE DEPARTMENT CAPTAIN JAMES ROBERT STIKELEATHER S-T-I-K-E-L-E-A-T-H-E-R. UH CAPTAIN STIKELEATHER IS A WHITE MALE; HIS DATE OF BIRTH IS 5/22 OF 1978. UH HE'S CURRENTLY STATIONED AT CFD UH STATION 10, SHIFT C. THAT LOCATION AND ADDRESS IS 2810 WILKINSON BOULEVARD CHARLOTTE NORTH CAROLINA HE HAS AN OFFICE TELEPHONE NUMBER OF 704-399-2206 AND A MOBILE TELEPHONE NUMBER OF 704-506-3242.

Fitch: Captain Stikeleather, you understand that uh you're being recorded and you're okay with that?

Stikeleather: Yes sir.


Fitch: Okay I appreciate you uh agreeing to come down and speak with us. Um so let me just back up a little bit before we get to um kind a what happened today uh just so that we have your formal position and...and...and that kind of thing. Uh you are currently assigned as what...what is your role now with CFD?

Stikeleather: Uh permanent Captain on Engine 10C.

Fitch: Okay uh how long have you been employed by Charlotte Fire Department?

Stikeleather: Uh April 28th will be 19 years so...

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Fitch: Okay.

Stikeleather: ... 18 and a half years.

Fitch: And um what kind of uh medical certification training do you have, are you EMT or paramedic or...

Stikeleather: E...EMT.

Fitch: Okay uh in addition to the training that you receive for the Charlotte Fire Department and EMT um do you have any other uh medical or emergency training either military or medical training, anything along those lines?

Stikeleather: No military I mean I'm volunteer firefighter and EMT in the volunteer so ...


Fitch: Okay.

Stikeleather: ... other than that that's it.

Fitch: Okay um well then uh why don't we just... I'm kind a... let you kind a have the floor just start from the beginning of uh when you were first dispatched to the call, kind a what you heard and what your... that radio traffic was or what you were enroute to and then...

Stikeleather: Okay.


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Fitch: ...um just walk us through the call, what you saw, what you heard, what you observed um just try to be as detailed as possible and then if we have any questions after that we'll go from there.


Stikeleather: Alright so uh...standing out in the back parking lot with a couple a guys and I heard the tones go off for engine 10 uh I could a swore they said Kimberly...uh Drive which is in our area, uh I get to the truck and see suicide attempt on Timberbrook, immediately I knew that...knew where Timberbrook was, was in thirteens area, I've been assigned to tens area for...since 2001 so I know surrounding area's pretty good so I knew right where it was at um while enroute reading the notes it say's uh Medic staging, possible knife uh suspect on scene threatening to kill everyone, something to that effect but I can't verbatim exactly what it said but so it was like uh alarm gets on the radio, and they always read us back what the notes are and tell us, so I'm like 10-4 okay so we're going on down the road we get um...get a little bit closer to the call and they call back and say subject is armed with a knife, 10-4. So we pull up ...well we get...coming down Tuckaseegee Road right before we get to the entrance of Timberbrook uh Medic was coming straight...they were coming, ya know, against us, no lights...they stop, let us go on in um we rolled on in and it's just my normal protocol and what, for me and my company, is we sort a do like the ride by glance as we're going in, if it's something we don't need to be at we're just gonna keep rolling, so we rolled up and was a white male, there's a line a cars up against the, ya know, in the parking lot there's a white male standing there and there was a group of uh think it was two black males and a black female standing at the back of a car. Um...as we pulled up we staged behind all that and uh the male, the white male, raised the knife up at us when we pulled up so we got off and he was...the...the black male, two black males, black female were between us and him so our

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natural...we're gonna get between 'em so when we got off we all went that way and when I got off the truck I keep a...it's a small um halogen style hook right there in the floorboard of my seat so I grabbed it just in case as he lunged at us so I had it in my hand, we walked up and there was a space between a group of cars like three parking spaces that were open and that male was back behind the other cars, we walked through that space and got ourselves between the uh suspect and the uh...the...the male and the female and uh just trying to get him to drop the knife...hey drop the knife, drop the knife, hey bud drop the knife, it ain't worth it let's just drop the knife. He kept yelling at us come on, come get me, come get me and he said the cops are gonna kill me, the cops are gonna shoot me; my girlfriends done committed suicide, I'm dying today and he just kept saying that over and over and over and uh the two black males and the female were recording so I turn around and ask 'em hey can you put the camera down, you're just making it worse, let's put the camera down, put the camera down...they wouldn't so turn back around and I'm watching my guys they're ahead of me a little bit between me and the suspect and I laid the tool up against the car and we're all trying to stay, ya know, five to ten yards away from him and we sort a trying to circle to keep him from going <Inaudible>...I think it ended up being his mother down stairwell there's a another group of people over to the side and then the male and the females I was talking about so it's people all around so we're just trying to... circle him in to keep him in the general area and uh... so I had laid that tool down and I'm in between two cars and he's going, going, going and my engineer, Richard Maschi, had picked up the uh... my tool. Well that guy lunged at me and took a couple steps with the knife at me between the two cars. I backed up and about the time he did that Maschi stuck the tool out and was like you better not go for one of us...and the guy started charging at Maschi with the tool out so Maschi's backing up and the guy finally turned

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around and went a different way so the tool, ya know, had the tool there the whole time the rest of the time. So... we're like man put the knife down, put the knife down, he grabs the steak knife and you could tell when we had pulled up he had at least two or three cuts on his arm, I'm not telling... can't tell if it was two or three but I know uh after all ...he had lunged and all that stuff he took that steak knife and backed up away from us for a second and just started sawing about midway's on his arm. He didn't appear to have any pain or nothing from doing it I was like... dang this dude... I'm wondering if he ain't hyped up on something but that's what was going through my mind and, before that, I was already thinking well maybe we could... we could possibly disarm him but I'm like no we're not even gonna get in it we're just gonna stay back and let the CMPD get there so we're all stayed back, he did that and uh about that time I called alarm and was like hey I need to make sure CMPD's 33, need to get 'em here as fast as can traffic and uh they're like be advised CMPD say's just back away, get to a safe spot and stay away, I'm like 10-4 we are... we're fine we're just waiting on yall to show up. About that time so I'm between... I'm... I'm out at the... in the parking lot at the cars, the suspects on the edge of the hill, the apartments I see the first officer pull around and he pulled his car around and it's a circle road out there and he come around and... and he turned and come up the... started coming back towards us, I just turned around and started to go walk to the officer to tell him what was going on and about that time my guys yell at me, hey watch out, and the guy had come around and started running at the car, the officer's car. Um so he come around on my right side, the officers ya know directly in front of me, the guys coming around from the right side and he got within I'd say two to three feet of the front of the car and the officer threw it in reverse and backed up I'd say fifteen yards. Um and then when he backed up he threw it at an angle, ya know, so the guys out here he

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threw it at an angle, put that front passenger side pointing at the... at the suspect and when he come out, he come out gun... pulling the gun, drawing the gun, get on the ground, get on the ground, drop the knife just verbal, verbal command... verbal command. The officer went around the back of the car away so it was like officer's here, the officer comes around and they're coming like this and then the guy comes running back around and the officer backs up and takes a couple shots and, ya know, we're up here so he takes a couple shots and comes back around this way and the guy's still charging and the officer shoots uh couple more times, I couldn't tell ya how many times but I know, at one point, the officer had got to where the suspect was between us and him with a muzzle at us and still firing so we ditched... I mean <Inaudible> we hauled ass, we jumped under the car to get away from any possible stray bullets but...

Fitch: Uh huh.

Stikeleather: ...so we ditched um about that time the mom started flipping out, she come running up the hill. My guys, once the shooting stopped, my guys come running around the back... the uh... back passenger side of the car to see, alright he's down are we rendering aid, what do you guys want us to do as far as the officer's that were there? I stopped the mom so that she couldn't get over there cause she was trying hard. Uh, at one point, I looked at uh... Bolina, Rich Bolina, who's the firefighter on the back said hey is he breathing do you... what are we doing is... we gonna work him or what are we doing and he said he's still breathing and the officer... one officer, didn't, I think it was a sergeant, didn't want us to get in there at first just like stay away from him, stay away from him but when we reali... hey he's vi... he's living, he's viable, let us in there so I got one of your other officers to take the mother, I went back around and that's when we started bagging him

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just giving him oxygen, uh derobed him noticed multiple shots from the legs like one in the uh... mid left abdomen, uh... but he was breathing, had his eyes open but as we went further along his color was changing and uh... he uh... was pinpoint pupils, that kind a thing, but we ended up working him, we rolled him, checked his back, got... the, what we call the mega movers, big tarp, we got that under him, lifted him onto the stretcher and we took him out.

Fitch: Okay. Um... let's go back a couple things here um you had said initially that that uh... when you guys went to that area, that's station thirteens area?

Stikeleather: Thirteens area.

Fitch: That's not your area?

Stikeleather: It's not our normal <Talkover - inaudible> ...no.


Fitch: Okay would the be normal for you to go outside of your area or to be dispatched outside of your area?

Stikeleather: Yeah we're... the way our dispatch works is the closest company so thirteens out of service or they're somewhere else on another call, out of service for a call or for maintenance, whatever, it's the next closest company and we got popped for the next closest company to the call.

Fitch: Okay and ...and yeah, I appreciate that... explaining that.

Stikeleather: Nobody... nobody really has a still alarm anymore it's the closest company no matter where you're at so...

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Fitch: Okay. Um did you ever come into contact with the suspect while he...he was being worked or anything like that or were you kind a more supervisor <Talkover - inaudible>

Stikeleather: Uh yeah I...flipped his hand, I checked his back once we rolled him over I pulled his shirt back made sure there was no...I didn't see any gunshot protrus... you know what I'm saying, no exit wounds on his back nothing like that.

Fitch: Okay.

Stikeleather: Uh and then helped roll him onto the... <Talkover - inaudible>

Fitch: Stretcher? Um I noticed on your right chest there's a <Inaudible>...possible... is that a blood stain there?

Stikeleather: That's Clorox.

Fitch: Oh that's Clorox?

Stikeleather: <Talkover - inaudible>

Fitch: Okay I didn't know if that was from...


Stikeleather: No... yeah.

Fitch: ...that's just where bleach hit it?

Stikeleather: Yeah.

Fitch: Okay.

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Stikeleather: That...well this has been there for about two years.

Fitch: Okay perfect um...

Stikeleather: <Inaudible>...cleaning bathrooms at the station.

Fitch: Okay. Um describe to me the lighting conditions that were there at the time I mean can you...

Stikeleather: Normal daylight.

Fitch: Daylight?

Stikeleather: Yeah.

Fitch: Okay not in any kind of shadow areas or...

Stikeleather: No.


Fitch: Okay. Um you had said that um...and we'll get into kind a the specifics <Inaudible>...as he's running around the car with the officer but you saw the officer um use his service weapon is that right?

Stikeleather: <Talkover - inaudible>

Fitch: Did you ever see either that officer or any other officer's use any other types of force either like a taser or a baton or any punches or kicks or...

Stikeleather: <Inaudible>

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Fitch: ...OC spray or any of that?

Stikeleather: Never any of that no.

Fitch: Okay.

Stikeleather: <Inaudible>... he come straight out of the car with <Inaudible>... with the service pistol.

Fitch: Okay.

Stikeleather: At first I was... I was sort a expecting, in my mind, I thought maybe taser and I looked, that's why I looked to see if it was taser or what it was and I could tell it was a pistol so...

Fitch: Okay.

Stikeleather: But no.


Fitch: Um do you think that the... based on the circumstances and what you saw, do you think that the officer had any other options other than using his service weapon?

Stikeleather: I honestly don't know what yall's protocol is so to me, I mean... I'm sure he felt threatened...

Fitch: Okay.

Stikeleather: ...at that point with him charging him. I will say in, ya know, being me as been... I've been on the west side for 19 years, I didn't feel

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threatened as we were around because we were keeping our distance but he did that two step lunge to me but other than that I never felt threatened but when he took off running at that guy I'm like...this is gonna get bad because, to me, he was threatening the crap out a that officer and even after the warnings and then the first shot the guy kept moving at the officer so that's why I was like...I...and I say I thought he was hyped up on something but I don't know.

Fitch: Okay.

Stikeleather: But...

Fitch: So at the...

Stikeleather: Justified, not justified I can't <Talkover - inaudible>

Fitch: Well and that's just your...just based on your observation, I know you don't have any ...


Stikeleather: Yeah. <Talkover - inaudible>

Fitch: .. law enforcement training or anything like that but in...in the sense of I mean do you think...is there anything else that the officer could've done or was...was...

Stikeleather: I say I thought he would a pulled...I thought the taser would a come out first but I...

Fitch: Okay.

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Stikeleather: I don't know what's going through his mind when he's pulling up and we haven't even had the chance to discuss anything ya know so...

Fitch: Sure, now you had mentioned at some point that um the suspect lunged at you with the knife.

Stikeleather: Yeah.

Fitch: So how was he holding that knife, is it up like this or is it our front or...?

Stikeleather: <Talkover - inaudible>... like that <Inaudible> he was holding it, ya know, with the... the blade sticking straight out at us <Talkover - inaudible>

Fitch: Okay how...how big is that knife describe that knife to me?

Stikeleather: Just a standard like maybe whatever a kitchen... six inch kitchen knife, whatever a standard uh steak knife that you'd see, a wooden handled steak knife.

Fitch: Okay, wooden handle you think?


Stikeleather: Yeah.

Fitch: Okay and is he saying anything to you as he takes that lunge?

Stikeleather: Nah he didn't say anything when he took that lunge at me...

Fitch: Okay.

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Stikeleather: <Talkover - inaudible>

Fitch: How close are you guys when he...takes that lunge?

Stikeleather: Uh probably... twelve feet.

Fitch: Okay at that point are you in fear for your life?

Stikeleather: I jumped back...

Fitch: Okay.

Stikeleather: <Talkover - inaudible>...I ...I thought he was gonna come on, I wasn't worried about being able to get away from him honestly cause I had...I was close enough to the back of the cars I could a got around him so... away from him but I...I jumped dude, I mean I wasn't really...I was trying to pay attention but when he jumped I was like oh shit...


Fitch: Okay.

Stikeleather: ...maybe this guy's gonna try to do something but at first I never really thought he would do anything I just...run of the mill pull up hey you end up dropping the knife you might get tased and we're gonna go home ya know so...

Fitch: Okay. You...you had said he also charged at Maschi?

Stikeleather: Well, yeah Rich Maschi, as he lunged at me Maschi brought the tool up and was almost had the tool stuck in his face...

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Fitch: Okay.

Stikeleather: ...in his chest to like hey... and that tools probably two and a half feet long, he had it like...get away, do not charge us, do not charge us and Maschi...he took a step at the... towards Maschi and Maschi backed up and he took another step <Inaudible>...they were just backing up and Maschi's got that tool as his distance between him so... <Talkover - inaudible>

Fitch: Okay how do you spell Maschi?

Stikeleather: M-A-S-C-H-I.


Fitch: Okay. Um was there anyone else out there um besides you that um...you feel that they were in any kind a danger?

Stikeleather: Well I mean honestly it didn't really <Inaudible>...I mean that's why we got in between us and the people that were at the back of the car I mean that's... I don't know, you just don't...you don't know what somebody like that's gonna do so...

Fitch: Uh huh.

Stikeleather: ...we...that's why we positioned ourselves...I'd rather him come at us then go at them and then me be sitting in a truck wondering <Inaudible>...we staged and he just stabbed the crap out a somebody so that's why, I mean, to me everybody within the vicinity is...is a possible threat, I mean he's a possible threat to them so that's why we... get in the way of it, does that make sense?

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Fitch: Uh huh. Um the officer that fired his weapon, do you believe that that officer was in any danger?

Stikeleather: I believe he was probably pretty scared and hyped up when he... when that guy took off at him and then when he backed up with the car the guy kept running at him.

Fitch: Okay.

Stikeleather: I mean it...it was maybe couple split seconds and he...as he was coming around the car the guy would a been on him in another couple seconds so...

Fitch: What...what do you think would a happened if that officer hadn't a fired his weapon?

Stikeleather: Uh if...that guy would a probably went and stabbed him, I mean tried to. There would a been a altercation, hands on cont... altercation with them.

Fitch: Okay.


Stikeleather: <Talkover - inaudible>...between the two.

Fitch: Okay um and this is for the purposes of the tape, you had mentioned two things you said ...you had mentioned alarm and then 33, you had called alarm which...

Stikeleather: It's our dispatch.

Fitch: ...is your dispatch.

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Stikeleather: Yeah.

Fitch: Uh and then you said that CMPD had requested you 10-33 or 33 and... and what... <Inaudible> ...do you understand?

Stikeleather: I ...I requested <Talkover - inaudible>

Fitch: Or you requested CMPD...

Stikeleather: Yeah <Talkover - inaudible>

Fitch: ...33 uh and what does that...that mean?

Stikeleather: That's uh, to me, is the old ten code of...

Fitch: Correct.

Stikeleather: ... hot traffic.

Fitch: Right.


Stikeleather: I mean... <Talkover - inaudible>

Fitch: Yeah and that's...and like I said, that's just for ...

Stikeleather: Yeah.

Fitch: ... purposes of... of that um. The um injuries that you had said that you had saw on him you said you saw multiple in his legs...

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Stikeleather: Uh huh.

Fitch: ...and then you saw one in his left abdomen?

Stikeleather: Yep.

Fitch: Okay any other injuries other than, you said he...

Stikeleather: <Inaudible>... he had... it was the left arm...

Fitch: Left forearm?

Stikeleather: Yep.

Fitch: Where he was cutting?

Stikeleather: Yeah, yeah at least three, I... I think he might a had four but just trying to picture in my mind I know he had two when we got there, maybe three and then he made the...the extra cut while we were there in front of us.


Fitch: Okay um you had mentioned that there was a... a black female and a black male that were there recording with their cameras?

Stikeleather: Uh huh yes.

Fitch: Um did you ever speak with them or talk to them or...?

Stikeleather: <Talkover - inaudible>... I turned around and told 'em put the camera down and quit videoing... quit video that they... the guy never would

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even acknowledge that I was talking. I was probably fifteen, twenty yards away from him at that point.

Fitch: Okay um describe him to me, you said he's a black male, how old do you think he is?

Stikeleather: I'd say mid thirties.

Fitch: Okay and how tall do you think he is?

Stikeleather: Six foot maybe.

Fitch: How much does he weigh?

Stikeleather: <Inaudible>...but I'd...I'd say 180 maybe.

Fitch: Um how's he have his hair?

Stikeleather: I can't remember.


Fitch: Okay do you remember any facial hair, goatee, mustache?

Stikeleather: There was two males there and it seemed like one had like a reddish hat or a red shirt, there's something red about him and he had a beard.

Fitch: Okay.

Stikeleather: And they were both right there about the same size. The one guy was...with the camera, was leaned over the car videoing had his phone, ya know, like this videoing <Talkover - inaudible>

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Fitch: Do you remember what um that guy was wearing?

Stikeleather: The guy <Talkover - inaudible>

Fitch: The guy with the videoing, with the camera?

Stikeleather: That was the one I described...

Fitch: Okay.

Stikeleather: ...I couldn't tell ya, like say he was on the back so...

Fitch: Okay.

Stikeleather: ...all I would a saw was his head.

Fitch: Okay so you couldn't describe what clothing he was wearing?

Stikeleather: No I wouldn't be able to...

Fitch: Okay.


Stikeleather: <Talkover - inaudible>

Fitch: And then you said there was a black female that was recording too?

Stikeleather: <Talkover - inaudible>

Fitch: How old do you think she is?

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Stikeleather: I don't know if she was recording <Inaudible>...one phone's all I saw...

Fitch: Okay.

Stikeleather: ...but those three were there when we pulled up.

Fitch: Okay um the black female, how old do you think she was?

Stikeleather: I'd say mid thirties as well.

Fitch: Okay how tall was she?

Stikeleather: 5'5 maybe I'm...

Fitch: Okay how much did she weigh you think?

Stikeleather: Maybe a 150 I don't know I mean it's...

Fitch: Yeah that's fine, and what was she wearing?


Stikeleather: It seemed like she had like all dark, black clothes type... dark color... I couldn't <Inaudible>... maybe I don't <Talkover - inaudible>

Fitch: Okay do you remember how she had her hair?

Stikeleather: Uh uh.

Fitch: Okay and then you said there was another male that...that wasn't recording anything uh...how old was he?

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Stikeleather: He was in his mid thirties...

Fitch: Okay.

Stikeleather: ... he was probably a little taller, 6'2, 6'3.

Fitch: Okay, how much you think he weighed?

Stikeleather: Uh 150, 180 pounds something like that uh... <Talkover - inaudible>

Fitch: You remember what he was wearing?

Stikeleather: <Talkover - inaudible>... it seemed like he had a red hat or a red shirt or something red, ya know, in the chest head area <Talkover - inaudible>

Fitch: Okay and that's fine, that's fine. Do you remember how he had his hair?

Stikeleather: Nah.

Fitch: Okay any facial hair or anything <Talkover - inaudible>


Stikeleather: I think he's the one that had the beard if I'm not mis...

Fitch: Beard?

Stikeleather: <Talkover - inaudible>... like a beard or goatee or something.

Fitch: Okay. Um did you see anybody else out there besides those thr... three people that were watching?

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Stikeleather: It was up on...behind the officer so between...so when they come around the officer pulled around like this, there's apartments here where we were all at and this guy, ya know, run this way but it was another apartment over here across the street, there was two people up there on that hill I just vaguely remember seeing two guys, a black guy in maybe like dreads with a white shirt um...but I remember seeing two, basically, bodies up there I couldn't...at that point, that's when the shooting and everything was going on and I just got a glimpse.

Fitch: Okay.

Stikeleather: They were completely out, basically, out a my focus of what was going on.

Fitch: Have you ever been to that address or had any prior contact with that individual before?

Stikeleather: I've been to that address but not for that individual...


Fitch: Okay.

Stikeleather: ...I mean this is four or five years ago, I've been to that apartment...

Fitch: Complex?

Stikeleather: ...complex for other calls and other people but <Inaudible>...seem like I've been to that address about a month ago but it wasn't for him.

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Fitch: Okay, alright um... and then, let me do this, I'm gonna show you a um... kind of a... a map overhead. Show you a couple pictures here. So this is kind of a farther out shot, this should look familiar, this is the apartment complex...

Stikeleather: <Talkover - inaudible>

Fitch: ...and then um this is Tuckaseegee here.

Stikeleather: <Inaudible>

Fitch: ...and then this is kind of just a close up...

Stikeleather: <Inaudible>

Fitch: ...of that apartment complex, does that look familiar?

Stikeleather: <Inaudible>..vaguely

Fitch: Okay um if we...is you wouldn't mind just kind a show me on the map here kind a where you guys um park your truck to start out with, where you guys were at...


Stikeleather: <Talkover - inaudible>

Fitch: ...just draw a <Inaudible>...rectangle there.

Stikeleather: ...we were about right here.

Fitch: Okay and then just draw a...a one where you first see the suspect.

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Stikeleather: Right in there at them steps.

Fitch: Okay right where the dot is there?

Stikeleather: Cause his mother was just below that down there.

Fitch: Okay is that where you guys encounter him, is that that location too?

Stikeleather: Yeah so we had come over <Inaudible>...these...was like three...there's like a couple cars...

Fitch: Uh huh.

Stikeleather: ...and there's like three or four spaces...

Fitch: Okay.


Stikeleather: ...and then couple more cars and the male, two males and a female were standing basically up under this tree at the hood of that white car...

Fitch: Okay.

Stikeleather: ...and there was like three spaces so we come right up into this area here, into the...onto the sidewalk and that's when we were trying to get him to put it down and sl...the whole time he just kept...he would come to...towards us and we'd sort a back and move around and it's just like we walked in a circle around this whole thing the entire time.

Fitch: Can you just uh draw like a dotted circle that...the path that you guys are indicating that you said that you guys were...

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Stikeleather: <Talkover - inaudible>

Fitch: ...kind a going around and around and around then?

Stikeleather: Yeah <Talkover - inaudible>

Fitch: Okay. And then um you said, at some point, you see a Police car that arrives, just draw a box for where the Police car arrives or, ya know...

Stikeleather: I first saw him over here, you want me to draw ..and then he come around this way.

itch: Okay so yeah just draw like a...a line or whatever in a box and then show me the route that he comes and then draw a box where he parks his car.

Stikeleather: So he stops right here...

Fitch: Okay.

Stikeleather: ...at this area...


Fitch: Okay.

Stikeleather: ...and then that's when the suspect come around this way.

Fitch: Okay.

Stikeleather: And he backed up to back here somewhere.

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Fitch: Okay.

Stikeleather: <Inaudible>... apartment and thats when the suspect kept on running around.

Fitch: Okay. And they're going around the car you said?

Stikeleather: Yeah the... the officer went around the back and this guy come around here then we come back around and that's when the shots were fired and ultimately the victim was right here at the... basically almost at the driver's door or the officer's car.

Fitch: Okay. So how many shots do you hear?

Stikeleather: <Inaudible>... four or five maybe.

Fitch: Okay.

Stikeleather: Yeah I...


Fitch: So you had said earlier that he...there's a ser...a series of shots that are fired and then he moves...

Stikeleather: <Talkover - inaudible>

Fitch: ...and then there's another series or...?

Stikeleather: <Talkover - inaudible>... shot once, twice maybe and was coming... the guy was coming at him and I don't... <Inaudible>... or yeah it's like he shot a couple times and then come back around here and the guy come back around this way ...

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Fitch: Okay.

Stikeleather: ...and he shot and that... the last couple shots are right here at the car.

Fitch: Okay.

Stikeleather: The driver's door.

Fitch: Let me do this too, just to help kind a... illustrate, I'm gonna draw um... just kind of a box on here to represent the car...

Stikeleather: Yeah.

Fitch: ...um and this is the Police car.

Stikeleather: Okay.


Fitch: And, if you wouldn't mind, just kind a show me kind a where everybody's at around this car and like where everybody's moving and stuff like that so at one point um where's the officer standing the first time that he fires a shot?

Stikeleather: Uh over here.

Fitch: Okay so just put a 1 right there... and then when he fires that first shot where is the suspect standing?

Stikeleather: Somewhere right up in here.

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Fitch: Okay so then just put a number 2 there. And then you think how many times does he fire at that...

Stikeleather: Maybe once or twice, it seemed like shot and then there's a slight pause and then boom he shot again...

Fitch: Okay.

Stikeleather: ...and then maybe one more time I...

Fitch: What um...what kind a distance do you think this is between the suspect and the officer?

Stikeleather: Fifteen... fifteen feet maybe.

Fitch: Fifteen feet?

Stikeleather: Yeah.


Fitch: Okay.

Stikeleather: <Inaudible>... cars probably sixteen feet so yeah I'd say maybe fifteen feet.

Fitch: Okay so then um just draw a dotted line to where you said the officer moves back to another location and you said there's another series of shots that are fired.

Stikeleather: <Talkover - inaudible>...right in there and this guy had walked... come around here.

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Fitch: Okay.

Stikeleather: And ended up um...so that's where he thought he was when we...and that's where the officer ended up right there.

Fitch: Okay so just uh put a number three where the... Now how far distance would you say the second time that the officer fires is from the suspect?

Stikeleather: I'd say six to ten feet at the most.

Fitch: Okay so you think the first one um is about fifteen feet...

Stikeleather: Yeah.

Fitch: ...I'm just gonna write fifteen on the thing here...

Stikeleather: Yeah.

Fitch: ...and then you think this is a six...

Stikeleather: Yeah.


Fitch: ...I'm gonna write a six there.

Stikeleather: That's fine.

Fitch: Okay is that...that's correct?

Stikeleather: Yes sir.

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Fitch: Okay um and at that point when the officer fired what was ... the first time here, what was the... suspect doing at that point?

Stikeleather: He was still up moving...

Fitch: Okay.

Stikeleather: ...walking towards the officer and as the officer come around this guy sort a turned and was coming this way.

Fitch: What... did he have any thing in his hands at that point?

Stikeleather: I couldn't tell if he dropped the knife or not at that point.

Fitch: Okay.

Stikeleather: <Talkover - inaudible>... the officer was coming around, as he come around this way the way the cars sort of parked, the officer might a been a little more over here but we were over here at this other car and as he come around and what pointing at the suspect that's when the suspect got between us and the car... us and the officer basically and the muzzle was pointed right as... as the last couple shots I was like holy shit we're getting ready to get hit by a damn bullet.


Fitch: Uh huh.

Stikeleather: So we all dove behind that car.

Fitch: Okay so do you see the officer shooting at this point?

Stikeleather: Yes.

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Fitch: Okay and you said you think how many times does he shoot?

Stikeleather: Two or three.

Fitch: Okay and then do you see the officer shooting at this point?

Stikeleather: Yeah.

Fitch: And how many times do you think he shoots here?

Stikeleather: At least two.

Fitch: Okay um and then what is this... suspect doing at this point when Officer fires the second series?

Stikeleather: I mean if I can move <Inaudible>... like so the other cars are here...


Fitch: Okay.

Stikeleather: The officer was maybe more out here because now... however the car is parked at a angle so say you're me...

Fitch: Uh huh.

Stikeleather: ... cars parked at an angle as the officer come around, I see the last couple shots and that muzzle, I'm looking straight... I mean I can tell I mean I'm 35, 40 yards away but I can tell the muzzle's pointed straight at us so that's why I say this guy was sort of blocked by the car at that point like standing, going down but as he was making those last

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couple shot, like I say, it was pointed at us so we dove down so like seeing the subject go to the ground, I didn't see any of that honestly.

Fitch: What...and what was he doing when this officer fired this second series <Talkover - inaudible>

Stikeleather: He was still up as he was coming this way, as the officer shot those last shots.

Fitch: And then what...what did he have in his hand?

Stikeleather: I'd say he still had the knife I don't know if he did or not.

Fitch: Okay you couldn't see?

Stikeleather: No I couldn't see that far.

Fitch: Okay and you had said earlier your...what's your distance from this point here, would you say...?

Stikeleather: From the car and the...


Fitch: Uh huh.

Stikeleather: ...probably 30...35 yards maybe.

Fitch: Okay so you think you're 35 yards away?

Stikeleather: Yeah.

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Fitch: Okay I'm just gonna write 35 yards away here. Okay and um do you have uncorrected vision?

Stikeleather: Yeah.

Fitch: You ...you don't...need glasses or...

Stikeleather: 20-10

Fitch: Alright. Um so it would be fair to say that you were able to see everything and you didn't need glasses to...

Stikeleather: <Talkover - inaudible>

Fitch: ...ya know, to see anything or miss anything or anything like that?

Stikeleather: <Talkover - inaudible>

Fitch: Okay, alright um...did you see any other officers there?

Stikeleather: Uh it was a Sergeant...


Fitch: Okay.

Stikeleather: ...bald headed Sergeant...

Fitch: <Talkover - inaudible>

Stikeleather: ...he come from...I...I know his...so soon as the shots were down, my guys took off to run towards the officer that had shot on the... ya know, so the cars sitting here, we were here, they come around this side to

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the passenger side of the car towards the officer and as we were coming this way the mother come running up the hill and that's when I grabbed the mother and I...I...I...I might've been a little agg...but I sort of pinned her to the car...

Fitch: Okay.

Stikeleather: <Talkover - inaudible>...we were...it was in between the two of, I mean that she was between me and the car so sort of pinned her to the car and just kept her pushed to the car because I did not...I mean she was facing me but I didn't want her going over there and she was screaming, had the phone in her hand, was screaming, screaming, screaming...my son, did you kill my son and...

Fitch: Uh huh.

Stikeleather: Didn't say anything I just like...and that's...that's when <Inaudible>...is he still breathing or what so...

Fitch: Okay.


Stikeleather: But that's when that other officer he come around and I didn't notice at that point that he was a Sergeant but later I saw him out there walking around, bald headed, three stripes uh...<Inaudible> Sergeant.

Fitch: Do you know um the officer that fired the weapon, do you have...have you...do you know who that is or...

Stikeleather: Honestly...

Fitch: ...know his name or <Talkover - inaudible>

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Stikeleather: ...hon...honestly I can tell you right now that if you put him out there with about five other officers I couldn't pick him out.

Fitch: Okay.

Stikeleather: I mean cause, honestly, I didn't look at his face...

Fitch: Okay.

Stikeleather: ...all I seen was the gun.

Fitch: And you couldn't even describe what he looked like...

Stikeleather: <Talkover - inaudible>

Fitch: ...that officer?

Stikeleather: White male...


Fitch: Okay.

Stikeleather: ...black hair, short, maybe six foot tall ya know.

Fitch: Okay. Alright um if you wouldn't mind just uh...

Stikeleather: Honestly I couldn't even tell ya <Talkover - inaudible>...worked with that officer at this point. I know most of 'em over there ya know so...

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Fitch: Yeah. Um if you wouldn't mind just signing there and then um... signing here on this diagram as well just indicating that it's uh... a correct representation of what you observed.

Stikeleather: Okay.

Fitch: Do you have any questions?

Collins: <Inaudible>

Fitch: Is there um...anything else that you can think of that would be important for us to know in our investigation or that you need to include in your statement?

Stikeleather: Not that I can think of.

Fitch: Okay.

Collins: I do have one question actually um was... was mom saying anything to him <Talkover - inaudible>


Stikeleather: Not while she...

Collins: <Talkover - inaudible>... going on?

Stikeleather: Nah she's down there at the uh...she's down, almost...so the stairs go down and then those apartments you've got two stories showing...

Collins: Uh huh.

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Stikeleather: ...but there's a third down on the other side so she was almost <Inaudible>...she was right there at the entry way going into the...into the hall...the breezeway I guess and she was sort of like backed up against the wall the whole entire time.

Collins: Okay.


Stikeleather: And I never...honestly focused on him, I never paid any attention to what she was doing other than I saw her standing there with a phone the entire time.

Collins: Okay.

itch: Okay, the current time is 1516 hours and that will conclude the recorded interview.


BF/RC/rge

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Exhibit 3

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Reviewed by Detective S.B. Isenhour, #4166. *Sgt 2/7/18*

THIS IS DETECTIVE S. B. ISENHOUR, CHARLOTTE-MECKLENBURG POLICE DEPARTMENT; AND TODAY IS FRIDAY, FEBRUARY 2ND, 2018. THE TIME IS 3:0-1 P.M. THIS WILL BE A RECORDED STATEMENT IN REFERENCE TO THE OFFICER-INVOLVED SHOOTING UNDER COMPLAINT NUMBER IS 2018-0-2-0-2-13-0-5-0-0. WE'LL BE AT THE LAW ENFORCEMENT CENTER IN INTERVIEW ROOM 2005, UH, WITH FIREFIGHTER RICHARD BELLINA, WORKS AT STATION 10; IT'S 28-10 WILKINSON BOULEVARD, CHARLOTTE, NORTH CAROLINA, AND THE PHONE NUMBER IS 7-0-4-3-9-9-2-2-0-6; PRESENT FOR THE INTERVIEW IS MYSELF AND DETECTIVE LYON.


ISENHOUR: Alright. I'll just let you tell us ... what happened out there?

BELLINA: Uh, we were dispatched to the scene for, um, an assault and upon arrival or just before arrival we were told that there was somebody there with a knife, possible assailant. We showed up <sigh>, as soon as we showed up we had seen him walking up on the sidewalk. He started coming towards the truck a little bit.

ISENHOUR: Uh-huh.

BELLINA: Um, three of us got off the truck. Um, made the way over there, tried to talk to him, as he did he kinda approached us with the knife. We, you know, told him to kinda back down. I was trying to talk to him, get him to calm down. Uh, he kept saying, he had multiple lacerations on his left arm already on his, uh, underneath his arm. Um ... basically saying he wanted to die, he, um, cause his girlfriend committed suicide and he was gonna wait for the cops to show up so the cops will have to shoot him and, um, I was trying to tell him, I know, calm down. I said let's talk about it, what's wrong? Um, you know, he was pretty well adamant about that point and we're trying to

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tell him, you know, they'll show up, want, we just wanted to get him tased you know. Um <sigh> ... he kept going back and forth and then he would kinda come at us a little bit and we kinda back away and he's walking around the car. We were trying to keep him basically contained to the area we were at because now we're getting bystanders to show up. At one point he actually started walking in that direction, so I, we kinda, I got around him trying to deflect him away from it and being that I didn't want anybody else, you know, uh


...

ISENHOUR: <clears throat>

BELLINA:

... to get involved or hurt. Um <sigh>, upon that, um, Captain Stikeleather, um, the officer went around the backside of the buildings from where we are, come up the drive, and when he did that, Officer, uh, Captain Stikeleather started walking down towards the police officer trying to tell him what was going on. Um, the knife he had was just a steak knife. Um, he at one point just before the officer pulled up and Captain Stikeleather, had turned the knife onto his chest; he was trying to push it into his chest. That's when we kinda tried to walk towards him to get him to stop; he, and then turned, saw Captain Stikeleather walking down towards the police officer as he pulled up, um, he started walking towards Captain Stikeleather in the direction of the police officer. I yelled to Captain Stikeleather and myself and Firefighter Machi yelled to him, you know, turn around cause he actually had his back to him at the time. As he turned around and the officer pulled up the vehicle, he started running past him towards the officer. The officer got out of the car, um, seen that he was coming towards him at the vehicle. He got back in the car, backed the car up like he was trying to get a better position to get out of the vehicle, and when he did, officer drew his firearm. I tried to yell at him that he had just nothing but a steak knife in his hand. Um, the

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officer repeated several times, I don't wanna shoot you, you know, you know, put down the knife, put down the knife. Um, they made their way around the backside of the vehicle where the officer started shooting, um, come back around the front side of the vehicle. It was sometime, uh ... the assailant started coming at, back towards him around the front of the vehicle. At this time the officer's now facing us and still firing. Um, at that point I was, I mean I could hear bullets coming in our general direction; they were ricocheting or what, so we all ducked back around, come back around another vehicle that was there at the time. Uh <sigh>, at that time I know other officers started showing up. I knew the assailant was down cause I could ... not see him anymore so obviously he was back around the car. We come back around, um, Captain Stikeleather asked me was he down. I said yes, I said he's breathing, so I started to approach. At that point, I'll be honest, I tuned out whatever the officers were saying, backing away because he was still breathing, um, I check his pupils, he's blowing out so I know he was probably bleeding out. Um, that's when I called ... um, the medics to come up. They come up and we start taking clothes off, checking his wounds and whatnot, packaging to send him out.


ISENHOUR: Okay. Um, so a couple of things that I wasn't clear on or wasn't, um, <unintelligible>, so you said the officer came around the building from behind you guys?

BELLINA: Drove his vehicle around, I guess there's two ways around that complex in the middle; he came around and at, back actually towards the direction where we had pulled in from.

ISENHOUR: Okay. So he would've been facing I guess the front ...

BELLINA: Correct.

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ISENHOUR: ... of the firetruck, okay. Um, and you said he had a steak knife, he was trying to push it into his chest?

BELLINA: Correct.

ISENHOUR: Prior to the officer getting there?

BELLINA: Correct.

ISENHOUR: The officer arrives and he's talking to your captain, is that right?

BELLINA: No, no, no as the, he, as he arrived our captain is walking to go to talk to him.

ISENHOUR: Okay.

BELLINA: Upon that ... the assailant ran towards the police officer. The cop was trying to get out of the car at the same time.

ISENHOUR: Uh-huh.


BELLINA: He was close enough where he got back in the car, backed the car up to probably get better position to get out of the vehicle.

ISENHOUR: Yeah.

BELLINA: And that's when the guy kept, keep, keep coming at the officer at that time.

ISENHOUR: Okay, so he's running at him with the knife?

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BELLINA: Yes.

ISENHOUR: Alright. And you said the officer gave commands to him; what was he saying to him?

BELLINA: *'Put the knife down, put the knife down, I don't wanna shoot you.'*

ISENHOUR: Okay.

BELLINA: I yelled, I tried to yell over the top of, you know, and, and I know that he didn't want, you can't hear third voices screaming, um, that it was just a steak knife, I was trying to tell 'em.

ISENHOUR: Uh-huh.

BELLINA: You know, I don't know what y'all protocol is, uh; I don't know, he should've been tased, uh, you know, first officer on the scene and I don't know what it is, so.

ISENHOUR: Right. Okay, um, so the officer has backed up his car, he gets back out, that's when he's giving commands?


BELLINA: Correct.

ISENHOUR: For him to put the knife down, I don't wanna shoot you?

BELLINA: And he was following him, as he's out of the vehicle, coming back behind the vehicle, get positioned, the assailant keeps following him around the vehicle as he's going.

ISENHOUR: Okay. And they're facing each other?

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BELLINA: Yes.

ISENHOUR: So the officer's walking backwards?

BELLINA: Yes.

ISENHOUR: Okay. And where were they at when you said the shooting started?

BELLINA: They were, wait a minute now cause they went around the vehicle so, I believe at this point they were, when the first shots were fired they were back, so he was facing away from, uh, his, the police officer was backwards towards us shooting away down towards the vehicle, I mean towards the assailant.

ISENHOUR: Okay, so the opposite direction of where you guys were?

BELLINA: Yes.

ISENHOUR: Okay, alright. Chris?

BELLINA: And it looked like he was, it looked like the officer was shooting down at him instead cause I, in my ... opinion, I mean it would be more easy to just shoot him anywhere in the torso up.


ISENHOUR: Uh-huh.

BELLINA: You know, but it looked like he was trying to aim down and hit him more in the midrange, legs and whatnot, put him down.

ISENHOUR: Okay.

LYON: You said he had cuts on his left arm?

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<input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input checked="" type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				S.B. Isenhour		4166		Homicide		02/02/2018	
22. Investigative Status				25. Case Referred To		26. Reviewing Supervisor, Code, Date					
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BELLINA: Correct; on his fore, underneath his forearm.

LYON: Okay. And, um, how big was the steak knife?

BELLINA: Uh <sigh>, the blade might've been 'bout that big.

LYON: And, and, uh, how was he holding it?

BELLINA: Like this.

LYON: Okay.

ELLINA: And then when we, when we, when we first approached he took it and he was cutting into his arm again and then that's when he turned the knife and was trying to push it into his chest. In fact you could see he had the marks <unintelligible, talk-over>.

LYON: And then you said kinda you were trying to engage him verbally, like, hey, don't do that?


BELLINA: Yeah, absolutely.

LYON: And then, um, when, and then there were bystanders? Um, at some point you said he kinda went towards a [sic] bystanders and you kinda got ...

BELLINA: Yeah, when he ...

LYON: ... in between 'em?

UCR Clearance Status		23. Reporting Officer		Code	Assignment	Date
<input type="checkbox"/> Open	<input type="checkbox"/> By Arrest	<input checked="" type="checkbox"/> Exceptional	<input type="checkbox"/> Unfounded	S.B. Isenhour	4166 Homicide	02/02/2018
22. Investigative Status		25. Case Referred To		26. Reviewing Supervisor, Code, Date		
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10. Juvenile Case No		11. Multiple Case Clearance No		12. Supplement Confidential Yes		13. Purpose Of Supplement Interview with Richard Bellina		

BELLINA: When we pulled up, if this is where the apartment complex is and he was standing on the sidewalk here, there was bystanders standing back over here and we parked the truck here and came at this direction to him, so when he was going back around he started coming back towards this direction; that's when we were like, I was like, you know, just, I got him back around to the parking lot over here, I was like, you know, get away from everybody else, just keep this, you know, bro, stay right here cause ... you know, I don't know what he was gonna wind up doing, if he was gonna try and go towards somebody over there or say something, you know, confrontation-wise verbally or whatnot, so.

ISENHOUR: Uh-huh.

BELLINA: And a mom, I believe it was the mom, was down, like I said, if this was the apartment complex and the sidewalk, she was down here and, and right at the edge of the apartment complex, yeah.

LYON: Was she telling, was she telling him anything?

BELLINA: She wasn't saying anything to us; she was on, I believe she was on the telephone at the time.


LYON: But she was, was she telling him anything?

BELLINA: Not that I could hear.

LYON: Alright. And then, um, when the captain probably turned around to go to the officer to brief him ...

BELLINA: Correct.

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<input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input checked="" type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				S.B. Isenhour		4166		Homicide		02/02/2018	
22. Investigative Status				25. Case Referred To		26. Reviewing Supervisor, Code, Date					
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LYON: ... on what you had, and it was probably your hope to kinda keep him in a spot ...

BELLINA: That's when he ...

LYON: ... while, while captain goes back and gives him a heads up?

BELLINA: Yes.

LYON: So that he's like this?

BELLINA: Yes.

YON: And, and when the captain went to brief our officer, um, can you tell me again what the suspect did?

BELLINA: He started going towards and it, well, in, in my view, towards the direction of our captain; that's when we told him to turn around, we said, 'Jim, turn around, turn around, he's coming at your direction'. He went by Jimmy cause Jimmy stepped aside, he ran by Jimmy right towards the police officer.


LYON: Okay.

BELLINA: But he made numerous, um ... numerous times he told us that he wanted the cops to shoot him. He wanted to die cause his girlfriend died, committed suicide, and she, he wanted to be with her.

LYON: <inaudible>

ISENHOUR: When the officer was telling him to drop the knife, um, was he saying anything back to him?

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22. Investigative Status		25. Case Referred To		26. Reviewing Supervisor, Code, Date		
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10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose Of Supplement Interview with Richard Bellina		

BELLINA: Couldn't hear.

ISENHOUR: Okay.

LYON: And then I just wanted to make sure, like you were saying, that the officer, as he got out, the suspect approached him and then the officer was moving backwards as the, um, suspect was kinda continuing to aggress on him?

BELLINA: Correct. He, like I said, when he first pulled up he got out of the vehicle, he got somewhat in position to get out, but at that point he was still coming towards him. The door was open; he closed the door and backed the vehicle back up, he got back out of the car and got positioned back behind the corner of, uh, rear of the car.

LYON: And at that point the, the, uh, suspect was kinda walking the officer around ...

BELLINA: Uh, yes.


LYON: ... backwards around the car; were there any other, uh, C-M-P-D officers there to help him?

BELLINA: Not when he first arrived, no.

LYON: Okay.

BELLINA: It wasn't till after the final shots are going off when he was back around the backend of the car again that another vehicle pulled up alongside where his vehicle parked. So if his parked was, was facing this way, it was here; that other vehicle came here.

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22. Investigative Status		25. Case Referred To		26. Reviewing Supervisor, Code, Date		
<input type="checkbox"/> Active	<input type="checkbox"/> Inactive	<input checked="" type="checkbox"/> Closed	<input type="checkbox"/> Administrative			

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LYON: And then how close, um, if you can tell, was the suspect to the officer when they were kinda, when he was kinda walking him around, when he was trying?

BELLINA: Engage him to turn around?

LYON: Yeah, uh-huh.

BELLINA: Um ... probably to me he would walk maybe not even 6 feet.

LYON: Okay. So how, how many feet away would you say that was?

ELLINA: Five, 6 feet.

LYON: Okay.

BELLINA: Like I say, he might've been closer when the cop made his way around the backend of the car cause at that time he's coming back around, so maybe at that time he might've been three feet within the corner of the car.


ISENHOUR: Could you see where he had the knife at that point?

BELLINA: It was still in his hand.

ISENHOUR: In his, up in the air?

BELLINA: He was coming at him like this, you know, cause that's how he came, um, when we first arrived that's the very first thing he did to us when we pulled up; he kept shaking his, the knife in the air at us like this.

UCR Clearance Status		23. Reporting Officer		Code	Assignment	Date
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ISENHOUR: But, so he had the knife in his right hand and he has it up in the air?

BELLINA: Correct.

ISENHOUR: Okay. And you said he made numerous comments about wanting the police to shoot him because his girlfriend committed suicide?

BELLINA: Correct.

ISENHOUR: Okay. And, um, do you know how many shots you heard?

BELLINA: I would say after 5 or so I, like I said, he was now turned in our position towards us.

ISENHOUR: Uh-huh.

BELLINA: And I could hear firing and a ricochet and whatnot. I turned and move, uh, back behind the vehicle, so.

ISENHOUR: Okay; so just more than 5?

BELLINA: It was, I would say I heard 5.


ISENHOUR: Okay.

BELLINA: It was probably more than 5.

ISENHOUR: Okay.

LYON: Did they go like one complete revolution around the car or, um, could you tell?

UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input checked="" type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer S.B. Isenhour	Code Assignment 4166 Homicide	Date 02/02/2018
22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Administrative		25. Case Referred To	26. Reviewing Supervisor, Code, Date	

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BELLINA: Yes, yeah; they started at the driver door, they worked, went all the way around cause he was in the position here, at back at the front left nose of the vehicle, when he was actually in line with where, where we were standing and shooting; and then he went back around where he laid was basically on the rear corner panel on the ground.

LYON: Driver's side?

BELLINA: Yes.

LYON: So they made, like if this is the car, the, the officer's right here, they made a, almost a complete circle?

ELLINA: A full revolution of the vehicle.

LYON: While, while the officer's kinda pursuing him ... and the officer's?

BELLINA: He's pursuing the officer, yes, back right at that time.

LYON: Mm, I'm sorry, that's what I meant.

BELLINA: Yes.

LYON: The suspect's pursuing the officer?


BELLINA: Correct.

LYON: And he's walking backwards?

BELLINA: Correct.

LYON: Okay.

UCR Clearance Status				23. Reporting Officer		Code		Assignment		Date	
<input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input checked="" type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				S.B. Isenhour		4166		Homicide		02/02/2018	
22. Investigative Status				25. Case Referred To		26. Reviewing Supervisor, Code, Date					
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ISENHOUR: Okay, do you have anything else? Is there anything else you can think of, anything that we forgot to ask about?

BELLINA: Don't think so.

ISENHOUR: Okay. That will conclude the statement. The time is 3:15 p.m.


SBI/CEL/olw

UCR Clearance Status				23. Reporting Officer		Code		Assignment		Date	
<input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input checked="" type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded				S.B. Isenhour		4166		Homicide		02/02/2018	
22. Investigative Status				25. Case Referred To		26. Reviewing Supervisor, Code, Date					
<input type="checkbox"/> Active <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Administrative											

Exhibit 4

REVIEWED BY N. MCKEE #1106

2/12/18

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1. Location Of Offense 3205 Timberbrook Drive			9. Correct Incident Classification					
7. Original Report Date		8. Supplement Date		13. Purpose Of Supplement Interview with CFD Maschi				
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes						

THIS'LL BE A RECORDED INTERVIEW IN REFERENCE TO CASE NUMBER 20180202130500, IT'S AN OFFICER INVOLVED SHOOTING THAT OCCURRED AT 3205 TIMBERBROOK DRIVE IN CHARLOTTE. CONDUCTING THE INTERVIEW IS N. MCKEE CODE NUMBER 1106 UM I'M GONNA BE SPEAKING WITH CFD UH ENGINEER UH RICHARD...

MASCHI: Maschi.

...MASCHI, THAT'S M-A-S-C-H-I. UH WE'RE IN ROOM 2001 AT THE LEC TODAY'S DATE IF FEBRUARY 2ND 2018; THE TIME IS 1454.

McKee: Um okay um is it okay if I call you Richard or what do you go by?

MASCHI: Rich normally.

McKee: Rich?

MASCHI: Yeah.

McKee: Okay um uh as I said I'm... I'm recording the interview um...

MASCHI: Yes mam.

McKee: ...you're okay with that.

MASCHI: Yes mam.

McKee: Um basically I just need you to go into um what happened today, how you responded to the call and what you saw once you got there.

MASCHI: Okay uh we were dispatched for a hemorrhage um on the way to the call uh they advised us that the patient had some type of weapon but unknown

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22. Investigative Status		25. Case Referred To		26. Reviewing Supervisor, Code, Date		
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what type a weapon. Um while we were there they... were on the way over to the call they... in the notes was telling us um the patient was stating he wanted to kill everybody so uh when we got there uh we were pulling up to the... the address that they were dispatched us to and um we observed him standing on the sidewalk, uh he had a knife in his hand and he was bleeding from his left arm uh so we parked and we approached him, tried to talk to him see if he would talk to us and uh he... kept our distance from him, bout ten feet or so from him just to try and talk to him and see if we could get him to drop the knife so we could start taking care of his injuries. Um he was... stand offish, he wouldn't let us come near him uh he wouldn't drop the knife so we just kind a kept our distance, kept him from... going to ...or walking towards any of the other ...

McKee: Uh huh.


MASCHI: ...civilians that were on the scene there starting to, ya know, come out a their apartments uh so I talked to him for a few minutes, he had stated a couple times that um his girlfriend had committed suicide, he wanted to commit suicide, no long.. longer want to live and he wanted the Police to kill him.

McKee: Uh huh.

MASCHI: Uh so we just continue to try and just kind a keep him at bay, just keep him in that area not let him walk off or walk towards anybody else that was on... in the area there and uh at one point in time, ya know, he got a little bit aggressive towards my Captain, started walking towards him with the knife raised...

McKee: Uh huh.

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22. Investigative Status				25. Case Referred To		26. Reviewing Supervisor,		Code,		Date	
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MASCHI: ...so but I...I yelled at him told him to stop, back up and he kind a turned his attention towards me, still had the knife raised a little bit um ya know I had a tool in my hand so I held the tool up, ya know, just to keep him from being able to ...

McKee: Right, right.

MASCHI: ...walk towards us and uh he kind a kept saying the same things over and over again, he wanted the Police to shoot him when the cops got here he was gonna...he was gonna kill all the cops um so about that time the off...first officer pulled up, he pulled up um towards...came towards us, parked about twenty feet away from us and uh the suspect or the patient, he turned and ran towards the ...the uh...officer's cruiser.

McKee: Uh huh.


MASCHI: So the um...he backed...put it in reverse, backed the car up bout fifty feet or so and <Inaudible>...give him time to get out a the car so he got out a the car uh the suspect continued coming after him with the knife raised uh the officer backed around the vehicle, the back of the vehicle and um...he continued to, the patient continued to come around the vehicle when...that's when he shot him. Uh and at that point um we were kind a...we turned to get some cover but uh it... when I turned back, as I was backing up, ya know the patient...or he was continuing to advance towards the officer...

McKee: Right.

MASCHI: ...on the right side of his vehicle at that point in time.

McKee: Okay.

1. UCR Clearance Status		23. Reporting Officer		Code	Assignment	Date
<input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		N. McKee		1106	Homicide	12Feb2018
22. Investigative Status		25. Case Referred To		26. Reviewing Supervisor, Code, Date		
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MASCHI: And then I didn't see...the... patient ended up back on the other side of the vehicle but I didn't see how he got from... got around to the other side cause we turned and...took cover...

McKee: Right.

MASCHI: <Talkover - inaudible>

McKee: Right. Okay um so... okay yall... yall went out on a... a medical call, hemorrhage.

MASCHI: Yes.

McKee: Uh you said when you...when you got there he was already outside.

MASCHI: Yes.

McKee: Okay um can you describe him to me?

MASCHI: Uh he was a white male, I would say probably late 30's maybe, 40 years old.


McKee: Okay.

MASCHI: Um heavy set.

McKee: Um have you...have you ever been to that apartment before that you know of?

MASCHI: I believe we may have been, I don't... we were...I remem...a few months ago we were at a call at an apartment in that building...

UCR Clearance Status				23. Reporting Officer				Code		Assignment		Date	
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22. Investigative Status				25. Case Referred To				26. Reviewing Supervisor, Code, Date					
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10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose Of Supplement Interview with CFD Maschi		

McKee: Uh huh.

MASCHI: ... um I don't recall seeing him there but I believe it was his Mom...

McKee: Okay.

MASCHI: ...if I remember right, I'm not positive on that. Um but I remember, pretty sure it was that building and...

McKee: Okay.

MASCHI: ... kind a in the area where his mom came out of.

McKee: Okay now you said he had a knife in one hand and he was bleeding from his left arm so uh I'm assuming it's... he had the knife in the right hand?

MASCHI: The knife was in the right hand.

McKee: Can you tell me what the knife looked like?

MASCHI: It looked like a...a steak knife um...

McKee: Okay.


MASCHI: ...a serrated steak knife...

McKee: Okay.

MASCHI: ...that you'd use uh, ya know... <Talkover - inaudible>

McKee: Every day kitchen...

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<input type="checkbox"/> Open	<input type="checkbox"/> By Arrest	N. McKee	1106	Homicide	12Feb2018
<input type="checkbox"/> Exceptional		<input type="checkbox"/> Unfounded			
22. Investigative Status		25. Case Referred To	26. Reviewing Supervisor, Code, Date		
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MASCHI: Yeah kitchen steak knife.

McKee: ...kitchen? Okay um...

MASCHI: Yeah he...he had couple lacerations on his left arm and at one point in time he...he was trying to cut himself again.

McKee: Now how badly was he bleeding?

MASCHI: Um he had two lacerations, I believe it was two lacerations on the left arm that were fairly deep and they were...um...they were bleeding...bree...bleeding, excuse me, pretty good.

McKee: Okay. Um so as yall approached him um... he was...he was making statements about his girlfriend committing suicide and he wanted Police to shoot him or whatnot, how far were you from him or how far were yall at that point?

MASCHI: About...about ten feet or so.


McKee: Okay and you said other people were starting to come out <Talkover - inaudible>

MASCHI: Yeah there was a couple people out when we first pulled out or pulled up and um...then a...about that point in time there's probably...I mean... twelve to fifteen people outside.

McKee: Okay and you said that he was threatening those people as well?

MASCHI: He never threatened them to us the...the dispatcher on the way over there was uh...said he stated that he wanted to kill everybody.

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McKee: Okay.

MASCHI: So uh... at one point in time he turned and walked towards those people and we kind a cut him off and, ya know, kept him separated from them and tried to keep him in the area that he orig...originally was in.

McKee: And you say he was raising the knife, I believe to...to your Captain
<Talkover - inaudible>

MASCHI: At one point in time he raised his knife towards the Captain and, ya know, was a little aggravated with him or towards him, I should say, and uh... started walking towards him so I picked up the tool and I... ya know I pointed it at him I...

McKee: Uh huh.

MASCHI: ...I yelled at him got... got his attention and he turned back and looked at me with the knife still raised and I told him, ya know, I said don't...don't try and come after us with the knife.

McKee: Right.

MASCHI: And uh he kind a...he put it down and was still saying, ya know, I want the Police to get here, I want the Police to shoot me.


McKee: Now you said he put it down like lowered it or actually put it down?

MASCHI: Lowered it...it was always in his hand the whole time.

McKee: Okay, okay.

MASCHI: It was always in his hand.

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McKee: Um so you had... the one officer arrived were... were any other officer's there at that point?

MASCHI: No just the one, first car pulled up ...

McKee: Okay.

MASCHI: ...and uh I believe the second officer was there or just pulling up when he started the first shot.

McKee: Okay so um the officer was out of his car and the... the suspect was coming around with the knife...

MASCHI: Yeah.

McKee: ...it... I mean is it like... is it like a chasing kind a thing where he's... where the officer's retreating and the... the suspect is coming toward him or is... <Talkover - inaudible>

MASCHI: The...

McKee: Explain that to me.


MASCHI: Like I said, the... the... the officer pulled up...

McKee: Uh huh.

MASCHI: ...and then he was bout twenty, thirty feet from the front of the officer's car...

McKee: Okay.

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MASCHI: ...and he ran to...through the cars, towards the officer with the knife up.

McKee: Okay.

MASCHI: I don't remember what he said, if he said anything um the officer put it in reverse, backed up about fifty feet...

McKee: Okay.

MASCHI: ...got out of his car with his gun drawn...

McKee: Okay.

MASCHI: ...and the ...uh patient went around the front of the car towards the officer, the officer backed around the back of the car...

McKee: Uh huh.

MASCHI: ...saying, ya know, I don't wanna shoot you, drop the knife... ya know, normal commands I guess you would hear and uh patient kept advancing towards the officer...


McKee: Right.

MASCHI: ...and then that's... the shot, I believe he started shooting when he was about at the back of his car round the back corner of the car.

McKee: Do you remember how many shots you heard?

MASCHI: About six or seven.

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McKee: Okay um how far was it, you think, between the suspect and the officer at the point he started shooting?

MASCHI: Um... I only caught bits and pieces of it cause I was turning and looking for somewhere to go and... and trying to still keep an eye on what was going on but I would say that...bout ten to twelve feet.

McKee: Okay. Okay and after the shots started you... you turned, so you didn't actually see anything after the shots started...

MASCHI: He started shooting, we turned and looked for a place to go...

McKee: Uh huh.

MASCHI: ...and we head... started heading towards the car to get behind the car and I turned around one time as I was backing...or going towards the car and I saw the um...the suspect coming up the...the right side of the...the uh...officer's car...

McKee: Okay.

MASCHI: ...still coming towards him, still advance...still moving forward towards him.


McKee: And that was after the shot...shots were discharged?

MASCHI: That was after the initial, couple shots yeah.

McKee: Okay, okay now after ... after the shooting was over um did you...did you approach the suspect at all or...or did you <Inaudible>...treating him at all?

MASCHI: Well we, yeah, we started walking towards us um ...or walking towards them, the one officer wanted us to stay back they still didn't have him

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secured I guess so... cause he was on the other side of the car, we were on this side of the officer's car...

McKee: Uh huh.

MASCHI: ...so we start walking towards them um, ya know, they told us to stay back over here so we did for, ya know, ten or fifteen seconds or whatever till they let us come around and start treating the patient.

McKee: Okay, now was he conscious, was he talking when... when you got to him?

MASCHI: He was still conscious uh when we started treating him um he did not say anything...

McKee: Okay.

MASCHI: ...that I heard.

McKee: Okay did you see the knife at that point?

MASCHI: It was... about three or four feet a... um away from his feet.


McKee: Okay.

MASCHI: So he was laying on the side of the officer's car... the knife was uh... a couple feet away from him...

McKee: Uh huh.

MASCHI: ...on the ground. Uh and then I believe is a Sergeant that was there had an officer go right to that knife and stayed... basically stood on the knife...

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McKee: Right.

MASCHI: ...like immediately so...

McKee: Right. Okay. Um and then you traded the... and did Medic pick him up?

MASCHI: Yeah...

McKee: Okay.

MASCHI: ...Medic was on scene too...

McKee: Okay.

MASCHI: Um they were parked back behind us they were up by their ambulance or...and uh so yeah they were there on scene immediately and they started treating him and they took over patient care, pretty much, immediately...

McKee: Right.

MASCHI: ...cause they were there and uh couple of our guys from a different truck went and transported with them.


McKee: Okay um so aside from the first officer that shot, did you see any other officer's shoot?

MASCHI: I did not notice any no.

McKee: Okay.

MASCHI: No mam.

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McKee: Okay um I tell ya what I... I wanna get an... an aerial map just to kind a get an idea of where yall were, where he was and where the officer was.

MASCHI: Okay.

McKee: Um do you mind if I step out for a minute and get that...

MASCHI: No, no that's fine.

McKee: ...so you can mark that? Okay I'm just gonna pause this interview; times gonna be 3:05 p.m.

McKee: Okay we're gonna resume the interview, gonna be 3:12. Okay what I've done is printed out a... a couple maps, this is probably gonna be the better one to use um of course um... let's see, so Tuckaseegee would be up that way, if that's the uh... 3205, Tuckaseegee is that way so where were yall in this?

MASCHI: Our truck was parked right about there...

McKee: I'm a let you just kind a draw on there.


MASCHI: Yeah this is... truck was parked right about there...

McKee: Okay.

MASCHI: ...it's engine 10.

McKee: Okay.

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MASCHI: Um the patient was right about...probably bout here.

McKee: Okay.

MASCHI: Uh so...

McKee: Now how was your view, were...were the...were cars parked here or
<Talkover - inaudible>

MASCHI: Yeah there was um cars parked here...

McKee: Okay.

MASCHI: ...he was standing behind a car uh so when we walked up to him um there were ...then we saw that he was bleeding and he...

McKee: Uh huh.

MASCHI: ... he was holding a knife...

McKee: Uh huh.

MASCHI: Uh so we were kind a... we were standing around here just talking to him trying to get him to, ya know, talk to us and drop the knife.


McKee: Right.

MASCHI: And uh he was... he wouldn't do that, uh...people were starting to gather over here.

McKee: Okay.

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MASCHI: Most of the people here... or in this area here so we were just trying to keep him from going that way just because of the information we got on the way over there um trying to keep him from hurting somebody else.

McKee: Right.

MASCHI: Uh his mom was standing down here on and off, that I noticed her coming in and out for... looked like from that breezeway there.

McKee: Now was she talking to him at all, was she saying anything or...

MASCHI: She was trying to... I don't remember what she said but a couple times I heard her... ya know, obviously she was upset and...

McKee: Right.

MASCHI: ...I couldn't really ... I don't remember what she said, if she said anything.

McKee: Okay, alright.

MASCHI: So...

McKee: Go ahead.

MASCHI: Once the officer, the officer came from this way...

McKee: Okay.

MASCHI: ...and he pulled his car up right about here, initially.

McKee: Okay.

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MASCHI: He came through the cars and went running towards the front of the officer's car.

McKee: Okay.

MASCHI: That's when he backed up to probably right about here somewhere.

McKee: Okay.

MASCHI: And got out of his car and the... the uh patient kept coming towards him.

McKee: Now was he... how... how was he coming toward him, was he running, was he jogging, was he walking... fast, slow?

MASCHI: Uh... I would call it a fast walk to a jog he wasn't...

McKee: Okay.

MASCHI: ...sprinting.

McKee: Okay.


MASCHI: Ya know he was not full blown run but he was... aggressive, or ya know... quickly moving towards him.

McKee: Right, right and the knife was still in his hand?

MASCHI: Knife was always in his right hand the whole time.

McKee: Okay, alright um and was... was the knife up, up down... can <Talkover - inaudible>

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MASCHI: Uh when he initially... I didn't... I did not see him, well... when he came from where we were originally to the front of the officer's car he was walking with the knife pointed out in front of him.

McKee: Okay.

MASCHI: Um a fast walk to jog.

McKee: Right so when he started going... when the officer backed his car back here and... and the patient um starts walking toward that car where he backed up to, did yall stay over here toward the sidewalk, did yall come out?

MASCHI: No we were over... we were... well we had... we had come out from behind the cars when he originally left... started walking that direction...

McKee: Okay.

MASCHI: ...so we were standing on this side of the cars...

McKee: Okay.

MASCHI: ...um and then he backed up, got out of his car, came around the back of his car and the...the patient kept following him.

McKee: Okay.

MASCHI: And that... ya know, around the driver's side of the car around the back of the car.

McKee: Okay.

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10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes			

MASCHI: And he...he initially started shooting when he was at the back corner of the car I believe...

McKee: Okay.

MASCHI: ...so we kind a looked for somewhere to go...

McKee: Right.

MASCHI: ...at that time and then that's when I...ya know, I turn and look back and the patient was around...like maybe the passenger's door...

McKee: Okay.

MASCHI: ...still moving in that direction.

McKee: Okay. Okay. Um...is there anything that we haven't talked about um that you saw and heard while we...while you were on the scene today?

MASCHI: No mam.

McKee: Okay and again you...you think you heard six, eight shots?

MASCHI: Six or seven...

McKee: Okay.

MASCHI: ...would be my guess...

McKee: Okay.

MASCHI: ...I didn't count <Talkover - inaudible>

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Officer Flynn

4. Location Of Offense

3205 Timberbrook Drive

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No11. Multiple Case Clearance
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McKee: Okay.

MASCHI: I heard multiple.

McKee: Okay and the patent, when you went to treat him, he didn't make any statements to you or he didn't say anything to you?

MASCHI: No he was still conscious but no he did not say anything.

McKee: Okay.

MASCHI: But I remember hearing the Medic asking for his name, I don't even believe he said his name.


McKee: Okay um what I'm gonna get you to do is...is just sign this for me just saying that this is your map...and put the date um and if you can't think of anything else we'll go ahead and end the recording. Times gonna be 3:17 p.m.

MASCHI: Today's... (Recording stops)

NM/rge

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Exhibit 5

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7. Original Report Date 02/02/2018		8. Supplement Date 02/05/2018		9. Correct Incident Classification		
10. Juvenile Case No	11. Multiple Case Clearance No	12. Supplement Confidential Yes		13. Purpose Of Supplement Interview with Officer Daniel Flynn		

THIS IS DETECTIVE DOLLAR IN REFERENCE CASE NUMBER 20180202130500 UH OFFICER INVOLVED SHOOTING ON TIMBERBROOK DRIVE. THIS INTERVIEW'S BEING CONDUCTED WITH OFFICER DANIEL FLYNN UH ROOM 2003 AT THE LEC. TODAY'S DATE IS FEBRUARY <INAUDIBLE>... FEBRUARY 5TH 2018; THE TIME IS 1506 HOURS.

Dollar: Um, once again, thank you for coming. Um we have a uh standard form that I'm gonna read to you um it's just... it's gonna explain the difference between um our investigation and... and uh Internal Affairs' investigation okay.

FLYNN: Okay.


Dollar: It's just easier if I read it to you. Um I'm Detective Dollar and assisting me with this interview is Sergeant Winterhalter. Today's date is February 5th 2018; the time is 1506 hours. This interview is being conducted at the LEC interview room number 2003. Due to your involvement in an officer involved shooting Sergeant Winterhalter and I would like to speak with you about your involvement in the case. At this time I would like to also note that, per your request, your attorney Dan Roberts is present with you. As part of this investigation our interviews are recorded and I want to ensure you that you know that this interview is being recorded. Are you okay proceeding with this interview knowing that it is recorded?

FLYNN: Yes I am.

Dollar: Uh this is a voluntary interview and you are free to leave at any time, do you understand that?

FLYNN: I do.

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Dollar: You're not under arrest, do you understand this?

FLYNN: I do.

Dollar: I also wanna inform you that there are two parallel investigations occurring right now, the first investigation is the criminal investigation which we, the Homicide Unit, are conducting. You do not have to speak with us but we would like to speak with you to gain your perspective and to assist us with our investigation. The second investigation is the internal uh perspective, I'm sorry...the internal administrative investigation which is being investigated by Internal Affairs, they will speak with you about their investigation. Do you understand this?

FLYNN: I understand.


Dollar: The criminal investigation being led uh by the Homicide Unit including this interview will be shared with Internal Affairs as they conduct their separate but parallel investigation however it is important to note that information obtained by Internal Affairs during their separate uh but parallel investigation cannot be shared with the criminal investigators in the Homicide Unit. Do you understand this?

FLYNN: I do.

Dollar: With that said, are you willing to speak with us at this time?

FLYNN: Yes I am.

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Dollar: Alright um we had already gone through uh the round count earlier or uh last week um and so the one thing that I forgot to ask you when we did that was uh...on that day did you happen to carry any uh back up weapons with you?

FLYNN: I don't...I've never carried a backup weapon...

Dollar: Okay.

FLYNN: ...or any backup ammu...ammunition.

Dollar: Okay. Alright um so I have uh...I've printed out a couple maps here uh this is um ranging in zoom level of uh the Timberbrook apartments um and then this one being the closest. If these would aid in your explanation or your account of what happened you're free to use 'em. Uh the marker is there in case you uh wanna mark um on any of those sheets to...if they would help uh with your explanation okay.

FLYNN: That will and I'd like to use it.


Dollar: Okay, yep... and um so if you would just explain to us what happened starting with uh that day when you uh received that call for service or however you uh ended up responding.

FLYNN: I was at a natural death investigation it was on Tuckaseegee Road, it was well outbound of Timberbrook.

Dollar: Okay.

FLYNN: So if you go outbound on Tuckaseegee there's Mulberry Church and then there's Toddville, there's Little Rock Road and then past that

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there's Marvin Middle... Wilson Middle School, Wilson Middle School its right in between Wilson Middle School and West Meck High School is where I was, it was a single family residence. An old gentleman, older gentleman had passed away of natural causes however we could not get the doctor to sign off on the death certificate. I was primary on the call, while I was investigating another officer, Officer Procter, showed up he told me that it was his response area and he'd like to take the report and all so I gave him all the information. It was getting towards the end of the shift, I think it was about 1 o'clock at this time, I get off at 2. He asked if I wanted to clear and go answer other calls I told him no that ... I was the one who actually contacted the coroner's...coroner's office who dispatched body removal to the residence.


Dollar: Uh huh.

FLYNN: I told him that since body removal was on the way and that's... that's what we called them, I don't ...

Dollar: <Talkover - inaudible>

FLYNN: ...know what their technical name is, body removal. Since they were on the way lot's a times they need help, this was a...a larger gentleman between 250 and 300 pounds. I... I told 'em that I would stay on scene, wait for body removal unless a bigger call came out then I would go on that call. During this time Officer Procter was on the side of the house he was knocking out the report, I was sitting in the driveway. At that time I didn't have any more Police duties to do, I was sitting in the car and still on those numbers I had You Tube pulled up and I was practicing Spanish at that time, it was a video that had

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both audio and uh visual so I was practicing Spanish. While I was doing this I was not paying extra attention to the radio.

Dollar: Uh huh.

FLYNN: It sounded, to me, that normal calls were coming out. I had initially made the decision to not clear from the call also taking into account that there was not a lot a radio traffic it seemed like second shift, whoever lapse us, could handle the call volume at that time. While I was sitting in the driveway practicing my Spanish I heard a female voice say that there was a guy running around with a knife on Timberbrook. At that time I believe that it was Officer Ignaczak, formerly Officer Pitts who's a female that's on fourth or fifth shift, whatever shift overlaps first shift and second shift.


Dollar: Uh huh.

FLYNN: I heard this I then decided to go to the call, backed out of the driveway I then pulled next to Officer Procter, I pointed, he flashed his lights at me indicating he knew that I was gonna proceed to that call. I then activated blue lights and sirens and went towards that call.

Dollar: Okay.

FLYNN: I chose not to add myself to those numbers because ...I initially thought it was an officer on scene who said that and I did not wanna take up radio time in case those officer's needed to urgent...urgently use the radio channel for tactical reasons. I proceeded directly down Tuckaseegee running blue lights and sirens the whole time. I noticed that immediately when I activated the blue lights and sirens my body worn camera was activated at that time. I proceeded down

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Tuckaseegee past all those roads that I've named and then I approached Timberbrook and I pulled in right here, there's one entrance to Timberbrook and I pulled in right there. It's at that time I pulled up the map on my car computer. Basically what the car computer showed is this map here, it was about... zoomed out at about this scale. I'm about right here at this time and I see... that there's an X right about here. I thought its kind a shaped I'd say like an eye...

Dollar: Uh huh.

FLYNN: ...and I thought that the X was closer to this road right here so this is, if we are oriented, this is north. I came down then I turned left on here...

Dollar: Uh huh.

FLYNN: ...heading towards this, and again, I'm assuming that there's officer's on scene cause I thought it was an officer who stated that there was a guy with a gun. I come around here and I see no one when I get here.


Dollar: Uh huh.

FLYNN: I then decide that it must be on the other side. I come to this turn right here...

Dollar: Uh huh.

FLYNN: ...it's a pretty tight turn; I turn and I pull forward <Inaudible> ... zoom into a different scale. Let's use this one here. So I start pulling around here...

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Dollar: Uh huh.

FLYNN: ...and somewhere about here I see a fire truck and I see four firefighters.

Dollar: So is the fire truck the line that you drew, the... <Inaudible>

FLYNN: You know what it... it looked to me like it was sideways, it probably was facing straight on but I probably just saw the side of it.

Dollar: Okay.

FLYNN: So it was probably just... its kind a tight in there because there's cars often times parked on both...

Dollar: Both sides?

FLYNN: ...both sides so it's probably just parked head on and anyways there were... I saw four firefighters in front of a fire truck.

Dollar: Uh huh.


FLYNN: I then saw ... at this time, there was a group of probably about five people right there so I pulled up...

Dollar: So closer to the... the south, where the road turns?

FLYNN: Closer to... <Talkover - inaudible>

Dollar: So the...

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FLYNN: <Talkover - inaudible>

Dollar: You indicated on... on the map that this circle here is where the people were standing?

FLYNN: Yeah and it was amongst the parked cars so probably more ...probably more in this area <Inaudible>... I couldn't tell...

Dollar: Okay.

FLYNN: ...whether they were... There were some that were probably standing on the sidewalk, some that were maybe in the street so just about...about that general area.


Dollar: Okay.

FLYNN: I pulled up to...it was somewhere about here and then that's when someone...believe it was a little bit further back, that's when someone either was in that crowd or standing near that crowd ran out, this is the subject obviously who I end up dealing with. He had his eyes locked onto the car, he was sprinting it looked to me as fast as he could. I'm gonna use the...the pen to show the object, he had the...pen in his right hand it was positioned over his right...right shoulder...

Dollar: Uh huh.

FLYNN: ...in a manner that you would position a weapon to make a stabbing motion. I got a quick...I quickly wanted to glance at the weapon. At the time I could not tell, I could tell there was a handle which he's holding...

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Dollar: Uh huh.

FLYNN: ...and there was something metal, it looked about four inches coming out of the handle. At the time I didn't know if it was a knife with the blade facing my direction or if it was some kind of metal stake...

Dollar: Uh huh.

FLYNN: ...that was coming out of the handle, I don't know, maybe something used to...to garden, but it looked like something that you could make a stabbing motion with.


Dollar: Uh huh.

FLYNN: I got a quick glance at this and I... I wasn't sure but it appeared that it was wet and that there was a red substance on it that appeared to be blood, I think I said that to you I wasn't sure of it... but it looked like there was blood on the knife. I did not ... know whether someone had been attacked with this weapon, this knife, or not. Anyways... the subject sprints towards the front of my car, eyes are locked on the car, sprinting in this position. As he gets to the front of the car I don't know whether he's gonna come... come around to the side or not so I lose sight of him cause I throw the car in reverse I look back. It's an apartment complex where I was there's more or less 360 degree apartment all the way...

Dollar: Uh huh.

FLYNN: ... around me because of how the curve is in the road.

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Dollar: Okay.

FLYNN: So I don't know... I don't know where people are coming from. I clear the road behind me, I drive back about thirty feet.

Dollar: Okay.

FLYNN: It's at this point I... I had the decision where I could stop and engage the subjects... subject or I could of backed out to this turn probably gotten over here and called for backup.

Dollar: Uh huh.


FLYNN: Because of the way he was behaving, because of the intensity in which he came at my car, because there were fire fighters on the scene as well as other citizens, I chose that it was my responsibility to engage the subject. I... put the car in reverse, went in reverse about 30 feet, I cut the wheel to the right which turned... if this was the nose of the car, turned it that way...

Dollar: Okay.

FLYNN: ...putting the passer... passenger side of the car facing him, the driver side away so that I could safely exit my vehicle at the time. I exited the vehicle and I wanted to control the scene I didn't want him to... his energies to be directed at the citizens or the firefighters. I then immediately yelled as loudly as I could to put down the knife.

Dollar: Uh huh.

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FLYNN: He then continued coming, eyes are locked on me, I'm in... See the cars about like this, I'm about right here and he's coming here
<Talkover - inaudible>

Dollar: Let me uh...let me ask you this real quick, um so you're out of the car when you start yelling at him?

FLYNN: It wasn't until I exited the car that I started yelling.

Dollar: Okay.

FLYNN: Prior to then my windows were up, my doors were closed.

Dollar: Okay.

FLYNN: I didn't give any verbal commands.


Dollar: Okay. Keep going.

FLYNN: So...I exit the car, I start giving him verbal commands. I say put down the knife and then something to the extent... I'm not gonna remember exactly what I said, but I...I said that if he proceeds I'm gonna be forced to shoot him...

Dollar: Uh huh.

FLYNN: ...so I believe I was giving verbal commands the whole time but those are two that I remember that I... commanded him to put down the knife in a very loud manner, probably as loud as I could yell, as well as I told him the results of what I would be forced to do if he

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uh... aggressed on me with the knife. At this point I think it might be easier if I use the...the table as a prop and...

Dollar: Okay.

FLYNN: ...and show where the car is.

Dollar: Yeah.

FLYNN: Um and we can see how this works out.

Dollar: Okay. So if that... this end of the table is the front...

FLYNN: <Talkover - inaudible>

Dollar: ...and this is the driver's seat...

FLYNN: This is the front...

Dollar: <Talkover - inaudible>


FLYNN: <Talkover - inaudible>... kind a... pointed off to the side...

Dollar: Uh huh.

FLYNN: ...this'd be straight down the road orienting the map, this way...this'd be straight down...

Dollar: Okay.

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FLYNN: ...Timberbrook looking north. I exited the car, I was behind probably the hood at this time.

Dollar: Uh huh.

FLYNN: I pulled my gun, I drew my gun on the subject and I gave those verbal commands in which I just told you.

Dollar: Okay.

FLYNN: As far as I could tell, he was running as fast as he possibly could, his eyes were locked on me and he still had that knife in the up position. It was at that point that I decided to distance myself as much as possible so as I'm giving these commands, I could tell he was coming around the nose of the car...

Dollar: Okay.

FLYNN: ...towards me. As I was giving these commands I kept my gun muzzle at this time pointed on him. I then...

Winterhalter: And he's at the front passenger corner?


FLYNN: He's coming straight here and then he's... he was coming straight...

Winterhalter: You're still on the driver's side at this time

FLYNN: ...and then he starts angling...

Winterhalter: ...right?

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FLYNN: ...angling himself ...

Winterhalter: <Talkover - inaudible>

FLYNN: ...to come around the nose...

Winterhalter: Got ya.

FLYNN: ...and I'm still at the...the drivers door. He starts coming around, that's when I start retreating...

Dollar: <Talkover - inaudible>

FLYNN: ...uh distancing myself and uh...maybe I'll go over here. You know what I'll...


Dollar: <Talkover - inaudible>

FLYNN: You can stay there, I basically go all the way around and I get to where about you are. The whole time I'm giving commands he runs around that way, it was about 180 degrees from where I started that ...since I am moving backwards and he's moving forward eyes are still locked on me, he still has the knife in his right hand; well I decide at that time that he's <Inaudible>...imminent threat of serious bodily injury and or death.

Dollar: Uh huh.

FLYNN: To myself, because I believe that ...from my readings on this kind a stuff Lieutenant Colonel David Grossman and all, a...a knife held in a slashing motion it can be less vital, you're likely to hit less vital areas

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than a... a stabbing motion where it can hit more vital areas if you come and hit the neck or the face. I felt that he was a threat of serious bodily injury or death to me if he were to hit my neck or my face with this knife.

Dollar: Uh huh.


FLYNN: It was at this point that he gains on me and it was about 180 degrees from where I started and I'm in on the passenger seat when I then pulled the trigger on my handgun for the... the first time.

Dollar: Okay.

FLYNN: I uh... I chose the handgun because I felt that I needed multiple bullets, I... I felt that the ...the taser, since I was moving and he was moving I would have just one shot to hit him with these probes and obviously you know how the taser works you have to get two taser probes in him to lock up those muscles in between the two probes. I felt that this could a been two difficult of a shot since I had one shot and it's a moving target... I chose to use my handgun. He turned the corner on me it was at that point that I started pulling the trigger. His eyes were still locked on me, he still had the knife in hand, I began pulling the trigger. I pulled the trigger and I shoot him multiple times and as I'm getting to this area I shot him multiple times <Inaudible>... the front of the car. I shot him multiple times believing that I hit him but there is no reaction in his face that he has been hit by a bullet.

Dollar: So no change in his posture or...?

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FLYNN: No change in his facial expression, no change in the speed in which he was coming after me.

Dollar: Okay.

FLYNN: Weapon still in hand, it wasn't until I believe I was at the nose of the vehicle that I hit him with a shot, I believe, that... and this is probably maybe around...maybe around my fifth shot, I hit him I believe and there... there was a reaction it was a slight raise of the shoulders and kind of a wide eyed look like almost like he had been surprised.


Dollar: Okay.

FLYNN: I was thinking to myself at that time that he was possibly under the influence of a...impairing substance, probably some kind of stimulant maybe a meth or a meth like variant.

Dollar: Uh huh.

FLYNN: Because I believe that I'd been hitting him at that point and prior to that point and there was very little reaction which, I would think, getting hit with a bullet would be pain compliance and that would change to a great extent someone's demeanor but there had been little or no effect prior to that point so that was the thought in my head. I continued to back up and I got about 360 degrees from where I initially started, he was still coming around, still eyes locked on me, still had the gun... I continued shooting at him. I remember firing my...my last shot and that last shot I estimated that I shot eight to ten rounds, that last shot was where he finally slowed down and slowly sunk to the ground. His face was not showing any pain, it seemed to me that his body just, at that point, was not responding

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<Inaudible>... his legs slowed down and his body just gave out it didn't look like a decision that he made cause I couldn't see it in his facial expression. It was at that point after I pulled the trigger the last time on my handgun that I saw an officer come out of my left peripheral vision that I believe to be Officer Porter and I believed it was about out here where the subject was. I was standing about where you were and Officer Porter was standing next to me. I kept my gun trained on him as he went down to the ground, as he sank to the ground. I chose not to pull the trigger again because he seemed to be... The aggressive threat had stopped he... he still had the knife in his hand...


Dollar: Uh huh.

FLYNN: ...but he had gone down to the ground. Another officer I... I don't know his name, he's a new officer, he came around to the front of the car and went running towards the suspect, I believe he wanted to handcuff the suspect. I then yelled back at that officer to get away from him he still had the knife.

Dollar: Uh huh.

FLYNN: Again I believe that he was probably on some kind of impairing substance and someone like that, I believe, could be very unpredictable, I didn't know if he still could've had in him to attack with the knife and all I was worried about was the safety of the other officer, many concerns, but one... one of the paramount one's was the safety of the other officer and I just knew that, at this point, since he was... in a squatting position, at the time, squatting or sitting position that we at least had time on our hands so I wanted for officer safety people to stay back. When they started getting a little over zealous, in

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my opinion, I at least... I said .. or at least kick the... kick the knife away.

Dollar: Okay.

FLYNN: The knife is... at that point the knife had been dropped, it was out of my view, I believe it was probably beside his right thigh, I said the knife has fallen from his right hand at least kick the knife away so he doesn't have the weapon if they chose to handcuff him. At that point Sergeant Dunn came on the scene, he's the first shift sergeant, he said something to the extent who was involved in this incident? I raised my hand and I verbally said to him it was me. He. .I... I believe his thought process was that he didn't know if there would be backlash from the community. He immediately told me to come with him and to get in the... get in his car, or get in a car so I... I guess I was out of view. I went to go get in a car, there was a bunch a stuff there um ya know bags and stuff so I couldn't sit in the car. I then opened the back door to get in the back and I can't remember if there was something there or why I didn't sit but I stayed put there and just waited for further direction. He, in my opinion, does a good job of taking control of the scene, that's exactly what he was doing. I felt that it was a good decision for him to remove me being the one who was involved specifically with the shooting so I stayed put until I was given further instruction. I believe it was Sergeant Dunn that approached me again, advised me to stand off he put Por... Porter with me as a support officer, Officer Porter, and he told me to turn off my DMVR my... I'm sorry, my car didn't have a DMVR as far as I know, my body worn camera. I deactivated the body worn camera, I left it on and then I went to about .. about over there so I was away from the scene...

Dollar: Okay.

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FLYNN: ... stood with Officer Porter and I can go on from there with the other details if you want.

Dollar: Um... <Inaudible> couple just clarifying questions, the... um... so you initially get out of the car on the driver's side obviously...

FLYNN: Yes.

Dollar: ...and he is on the, what would be the pass... front passenger fender area to the... off to the front right of the car and then... and he is coming around the front of your car to the... the driver's side and then, at that point, you ...you said you're backpedaling around the ... the rear of your vehicle?

FLYNN: I wouldn't call it... probably it was... I was definitely going backwards probably more of a... was probably more turned sideways, canted sideways but I was moving backwards yes.

Dollar: Moving to the rear of the vehicle?


FLYNN: Correct.

Dollar: Okay and then you eventually go all the way around back to the driver's side is where you end up?

FLYNN: So I... I actually overshot the... the driver's area so that's where he ended up.

Dollar: Okay.

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FLYNN: And he sat down, it was ... off of the driver's side of the vehicle probably a little bit out from there, twenty feet out.

Dollar: Uh huh.

FLYNN: ...I would assume his momentum, maybe he wasn't that close to the car, we were probably a little bit further out from the car, I don't know... ten, fifteen, twenty feet so he ended 360 degrees where I started and then I was a little bit further back so I overshot the drivers seat a... a little bit another ten, twenty feet <Talkover - inaudible>

Dollar: <Talkover - inaudible> So...

FLYNN: I believe the last time, my last trigger pull was probably around there though.


Dollar: Okay um can you estimate where around the vehicle you were when you fired the first round and which direction you would be facing?

FLYNN: Taking into cons...consideration that a lot of my energies were focusing on him as well as his facial expression, where the knife was as well as my backdrop making sure there's no citizens, that's where most of 'em were but if I can recollect and give you the best estimate of where I was... I would estimate that I was about a 180 degrees from where I started probably at around...in...in between, probably more towards the front passenger door, that'd be my best estimate.

Dollar: And...and you were firing towards the rear of the vehicle?

FLYNN: Correct, towards the rear since that...

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Dollar: Okay.

FLYNN: ... was the direction that he was coming from.

Dollar: So would it be reasonable to say that, or accurate to say that, um if your car is...you indicated here, that you were firing to the rear this way?

FLYNN: Yes.

Dollar: Okay and then as you move around the car and he's following you do your rounds basically... Do you see what I'm doing <Talkover - inaudible>

FLYNN: That's accurate.

Dollar: ... would that be accurate where the rounds are...

FLYNN: Yes.

Dollar: ... moving uh in that circular motion?


FLYNN: Correct.

Dollar: Would that be... Okay.

FLYNN: So probably right...fired my first one when I was about there so it probably went there...

Dollar: Okay.

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FLYNN: ...like all the way around my last one was probably...car was canted this way so maybe there so probably a fan from here to here, probably...

Dollar: Okay.

FLYNN: ...180 degrees if not more, yes, starting that direction.

Dollar: Okay um have uh... how far would you estimate you were from him distance wise uh when you fired your first round?

FLYNN: Ten...ten feet.

Dollar: Okay um and as you're moving around does...what is the closest that you would estimate that he gains ground on you? Did that make sense <Talkover - inaudible>

FLYNN: No it does uh...probably...five feet would be the closest.


Dollar: Okay. I guess what I...what I'm trying to get at is was he gaining ground on you as you were ...as you were moving around the car was he ...as he was aggressing you was he continuing to gain ground?

FLYNN: I see what you're saying, so my initial trigger pull was because I believed he was gaining ground because I was moving backwards, he was moving forward at a faster rate.

Dollar: Uh huh.

FLYNN: During my trigger pulls, as I was moving backwards from him, he was never close enough to stab me with the knife which that was my goal

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to keep him far enough back so he couldn't stab me but I would say he was never closer than...than five feet from...from here to the door to me.

Dollar: Okay.

FLYNN: Could he gain ground probably rough estimate, started at ten feet away from me came within five feet.

Dollar: Okay. Um...what was ... Going back to the initial, you...you...you said that you heard um some type of radio traffic from uh ... from a female uh was there any radio traffic from, that you recall from, the dispatcher?

FLYNN: So I was initially at that natural death investigation and it was after I signaled to Officer Procter that I activated my blue lights and sirens. During that time when I was running traffic I could not hear the radio, I heard that there was...that there was traffic...

Dollar: Uh huh.


FLYNN: ...but I could not hear who was speaking, whether it was a dispatcher, whether it was an officer um and unfortunately it's...it's like that a lot a the time due to...I have a little bit of hearing loss...

Dollar: Okay.

FLYNN: ...as well as I just have issues hearing over the sirens...

Dollar: Okay.

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FLYNN: ...so it was that initially thing that I heard where a female voice said that there's someone with a knife.

Dollar: Okay.

FLYNN: And then after that I didn't hear any more radio traffic other than I heard that there was radio traffic.

Dollar: Okay um the radio traffic that you heard from her, from the initial female, um was that ...did you believe that she was on scene or was she relaying information uh from somebody else <Talkover - inaudible>

FLYNN: That makes sense and.. and I believe that...I believed, at that time, that she was on scene.

Dollar: Okay um and then ...so had you heard anything about why Fire might've been there um...radio traffic wise?


FLYNN: In...in hindsight I think I did hear the...a suicide call dispatched and...often times Medic and Fire dispatched to suicide calls, honestly at that time when I heard someone say that this guy on scene with a knife, the female voice, I got...I didn't connect those, that was the main thing in...in my mind.

Dollar: Okay.

FLYNN: I did not think about Fire and Medic being on the scene.

Dollar: Okay um... um...had you ever...have you ever been to that location previously?

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FLYNN: I've been to the Timberbrook neighborhood...

Dollar: Okay.

FLYNN: ...a few times.

Dollar: Um... the person that you...that you were engaged with uh have you ever dealt with him before?

FLYNN: Not to my recollection no.

Dollar: Okay.

FLYNN: Don't think I've ever dealt with him.


Dollar: Alright and um...when you initially arrive and you see him, you described that he locks eyes with your vehicle and uh he has um what sounded like an intense fixation on it um what is going through your mind as you see him with the knife?

FLYNN: What was going through my mind was that it was someone who was looking for a fight, it was someone who was ready to stab someone because of his intense look on his face, how he had the knife positioned, how he was sprinting as fast as he could...

Dollar: Uh huh.

FLYNN: ... and his intense focus on what he was sprinting at my car at the time. I felt that, again, it was my responsibility to confront him because

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I felt that if I left the scene it could've been someone else on scene Fire...or...or a cit... citizen.

Dollar: Okay.

FLYNN: So I felt that it was his intent to stab someone and, again, I... at the time I didn't know if it was... if I could see accurately since I had such brief look at the knife but I thought... what I saw was possibly blood on the knife I thought that his goal was to stab someone and that he had possibly already done that.

Dollar: Okay. And you said that you saw roughly four firefighters um and then I think you also indicated that you saw other people, were those civilians that you saw?

FLYNN: The other people that I saw were civilians.


Dollar: Okay um... and would they... were they in a position where they were vulnerable I guess would be the...

FLYNN: I believe they were vulnerable because I mean... as far as I can see they were... they were standing just either in between the cars or on the sidewalk which was <Inaudible>... show you, in this area standing on the sidewalk or standing in between the cars.

Dollar: Okay.

FLYNN: Um with nothing to protect them <Inaudible>... from when I glanced at them that they were standing there with their arms down, no weapons. I felt that anyone could be vulnerable to this guy who was standing there whether it be the citizens or the firefighters.

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Dollar: Okay. You have anything?

Winterhalter: Yeah a couple things <Inaudible>... um <Inaudible>... the um...the female, I'm going back to the initial ...initial call um did you ever ask them for any further details on your way before you headed that way or did you take...did you read the comments in the call?

FLYNN: I did neither, I didn't tell anyone I was on the way I didn't read the comments.

Winterhalter: Okay. Um... upon arrival you said earlier you thought that somebody was already there, is that right?

FLYNN: <Talkover - inaudible>

Winterhalter: I mean you... you believe that when you got to the complex um that one of your shift mates was already on scene and that was the person that you'd heard earlier right?


FLYNN: To be...to be more specific um one of the...the fifth shifters...

Winterhalter: Uh huh.

FLYNN: ... and lots a times second shift will handle those calls that are close enough to when I get off so in that 1 p.m. to 2 p.m. range I thought that some of them may be on scene specifically Ignaczak who is a fourth of fifth shifter, whatever they call that shift.

Winterhalter: Uh huh. Um had you... had you thought nobody was arrived on scene would that have changed your decision?

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FLYNN: It would have changed my decision unless I had knew...known that fire was on the scene. I've had other incidents, which I'm not gonna get into, but if fire was on the scene then I would've probably responded the same way.

Winterhalter: Okay. Um I'd like...cause you drew on the one map um...

FLYNN: Uh huh.

Winterhalter: ...and Joe I'd like for you to have him number, if this is where you first saw him surface from between the cars and maybe mark it with a one and then where you think you ended up after backing up and mark that with a two when he got to your vehicle.

Dollar: And this is not a...this is not a aerial view that we took that day so the car placement is not...

FLYNN: <Talkover - inaudible>

Dollar: I...I just wanna make sure...

FLYNN: Oh yeah, yeah.


Dollar: We have had the actual aerial views before but...

FLYNN: <Inaudible>...best I can and there's a one.

Winterhalter: Uh huh.

FLYNN: I went back...

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Winterhalter: And then you said you backed up...

FLYNN: Turned slightly...

Winterhalter: ...possibly like thirty feet or so.

FLYNN: Yeah so what would that be about? Oh I guess <Inaudible> ...I can't remember it's about...

Winterhalter: Yeah and it's just a...

LYNN: Is about right here <Inaudible>...pointing that way. About like that to there.

Winterhalter: And... and if I'm tracking properly from what you described earlier, you would've moved in a circular motion um from driver's side around and back to driver's side and then some...right?

FLYNN: <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...complete revolution plus and you ended up at the trunk cause you overshot the driver's side door.


FLYNN: Plus another 90 degrees right...

Winterhalter: Right.

FLYNN: ...correct.

Winterhalter: And we talked about how the rounds were fanned...

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FLYNN: Uh huh.

Winterhalter: ...as you were...as you were on the move, is that right, just so I'm understanding, that movement counter clockwise around the patrol vehicle?

FLYNN: Correct, correct.


Winterhalter: Um ya know it's somewhat between of a... a backpedal and a sidestep um in that...in that revolution is that right?

LYNN: That's correct.

Winterhalter: And...and what were you attempting to...I mean what was your thoughts right then, what were you...um why were we making this movement around the car?

FLYNN: I was distancing myself from him, I believe I was giving him commands the whole time I was giving him a chance to respond to these commands and I was giving him a chance to put down the knife and honestly I was delaying shooting him I didn't, at the time, want that situation to end that way so I guess maybe in hindsight I was delaying the inevitable but a combination of I wanted to give him a chance to respond as well as I wanted to hold off as long as I could before I felt that it was so imminent that I could get stabbed that hey this is the point I'm not comfortable with anymore, not that I was ever comfortable begin with but I felt that it was the most imminent threat on my person that I can't delay this anymore it's time to start pulling the trigger to defend myself.

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Winterhalter: And um during these... during this um...time going around the vehicle, is he saying anything to you?

FLYNN: Not a thing, he has his eyes locked on me, he's still running as quickly as he can, he still has his knife in his hand and that's it, that's another reason why I thought he could've been on an impairing substance whether he was...had mental problems, impaired by some impairing substances he came off as someone who I could not reason with, I was dealing with someone who was not logical at that point in time.


Winterhalter: Okay so there's um...you're moving around the car he's not complying with verbal commands and he's not saying anything back to you, um you said earlier there's ... you didn't feel like a taser was appropriate given the fact that you were moving, did ... were there any other less lethal options or um options in your mind at that point?

FLYNN: The taser was the only one that...

Winterhalter: <Talkover - inaudible>

FLYNN: ...I considered but the taser, from what I've been trained in the Academy is more so where you have a stationary subject and one officer, if not both, two officers start out lethal force covering suspect, those two officers then communicate with one while one agrees to maintain lethal force the whole time the other officer then puts away lethal force, goes to the taser only after he has insured that the other officer is gonna maintain lethal force, that is when the taser is used in that case where there's another officer with lethal force the subject is stationary. That obviously wasn't my circumstance so that was quickly disregarded from my mind, the gun was the only...handgun, was the

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only decision that was available to me at that time to use in that situation.

Winterhalter: And when you fired um...when you began firing, do you remember um your sequence of rounds or how you... how many you fired initially? Can you... can you decipher that clearly?

FLYNN: What I can tell you is that I was unclear um when I was asked initially and was ...by Mr. Roberts who asked me to estimate, I estimated eight to ten ...so eight... eight to ten rounds.

Winterhalter: And um you... <Talkover - inaudible>

FLYNN: <Talkover - inaudible>...I'm sorry to interrupt you I ...I just...


Winterhalter: <Talkover - inaudible>

FLYNN: ...<Talkover - inaudible>...I fired multiple times at him until he gave me that one reaction that I...that I saw but it was... at least four bullets probably that I fired at him before I finally got a reaction <Inaudible>...if that helps clarify the question <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...trying to gauge um, ya know, if you... you thought you had hit him but there was no reaction but then you were reassessing whether you needed to continue to fire based on the lack of response from him is that fair to say?

FLYNN: I believe that I was hitting him each time and he was not responding however each time I reassessed that he was still coming towards me aggressively, he still had the knife in hand and that, as far as I can see, the back drop was clear that being... there were apartments all

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over however there was not a person in my view other than the person that I was dealing with.

Winterhalter: And as you were shooting did you have an opportunity to... to um... take aim at any particular part of him or, you know, um what was your, were you shooting center mass? Were you taking backdrop into account and shooting anywhere else I mean what was that or was it... we were just... pointing in that direction and squeezing and hoping him to stop?

FLYNN: I was pointing center mass however with a slightly lower trajectory so that if there was a miss it would minimize the amount of distance that the bullet would travel so probably where we were taught to shoot a taser around the belt line, lower abdomen, that was center of that, probably somewhere around that area.


Winterhalter: Okay <Inaudible>...

Roberts: Just uh one or two... They took um... when... when you came down to the LEC on Friday they took pictures of you and how you were dressed, is that what you were wearing when you were out there?

FLYNN: I was wearing a Police uniform, had the cargo pants on, I had the Police lining jacket, as we call it, as to where not the... the rain jacket but the jacket that's used for warmth it has a Police badge on it. Um... it's navy blue to match the uniform, has uh... CMPD on the sides of it, that's how I was dressed.

Roberts: Okay. And the car you were in was it a marked patrol car?

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FLYNN: Was a marked patrol car, white car, had the lights on top...lights weren't activated when I got on scene but it did have the light bar.

Roberts: Says Police across the side of it?

FLYNN: Correct.

Roberts: Okay. Um...you indicated that uh...um you had your body cam, that your body cam turned on once um...the blue lights and sirens, once you put the blue lights and sirens on is that right?

FLYNN: Upon activating the blue lights and sirens if the body camera is on...

Roberts: Uh huh.

FLYNN: ...it doesn't do this with all the cars but they're supposed to automatically activate the body camera. In this case I heard it make two beeps which indicates that it's activated at that time.


Roberts: <Talkover - inaudible> And um you indicated that it was turned off after um Sergeant Dunn had taken you over to uh a patrol car after this occurred correct?

FLYNN: Yes.

Roberts: Um did you turn it off yourself or did someone tell you to turn it off?

FLYNN: So I was told by Sergeant Dunn to deactivate it. That's where I depress the button, it deactivated it and then...but I left it on as to where...it was still on just deactivated. I was later told by someone else other than Sergeant Dunn, it might a been Bill Haynes, Officer

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Haynes, another officer who was put with me as a support person to totally cut it off, it wasn't till I was advised by a more experienced officer, if it was him or another leader. It was either a leader or Officer Haynes and I was told to cut it all the way off that I actually turned it off as well.

Roberts: Okay. The last thing that I wanted to ask you was um you had indicated that somewhere around shot four there was a reaction, you saw him... I think you said his eyes get big, um... after that shot what was his actions, what did he do after that shot?

FLYNN: For a split second that I saw that his kind shoulder shrug and his eyes just indicating that, like a surprise... after that he went back to doing exactly what he was doing before, eyes locked on me, running at me... knife in hand, more shots were fired, no reactions to those shots until the last shot that I fired where his legs just seemed to slow down on him.

Roberts: Okay.

FLYNN: But it was only that brief second where he showed a surprise look to me.


Roberts: Okay he didn't put down his knife or anything like that?

FLYNN: No.

Roberts: Okay and the last shot um what made you stop shooting?

FLYNN: It probably took about a second, a full second his legs just slowed down...

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Roberts: <Inaudible>

FLYNN: ...and then immediately when he came to a stop it looked like his legs just couldn't support his body anymore and he slowly sunk to the ground, it was at that point I just didn't feel that there was enough aggressive, I... I felt that he was still a threat as to where I didn't wanna go near him I didn't want other officers to go near him. I felt that he was a threat but I didn't feel that there was enough aggressive action for me to continue with any kind of force at that time whether it be...

Roberts: Right.

FLYNN: ...a handgun, taser... whatever.

Roberts: And then once or twice um... you uh... and this might of just been slip of the tongue but you indicated um once when you ... <Inaudible> ... you talked about what you heard over the radio, you said that you heard someone with a knife running around Timber... Timberbrook. Is it Timberbrook?


FLYNN: Timberbrook.

Roberts: Um and then the next time you were asked about it you said someone with a gun <Inaudible> ... was a knife, <Talkover - inaudible>

FLYNN: I don't know why I said gun I mean it was...

Roberts: Okay.

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FLYNN: ...it was a knife <Talkover - inaudible>

Roberts: Alright I just wanted to make sure, there was twice um where ...when they were asking you, you said gun...and I think we all kind a understand that to...just be kind of slip of the tongue where you meant knife. Was there ever a gun that you saw or...or um indication of a gun out there...by him?

FLYNN: That was...that was an error on my part.

Roberts: Okay <Talkover - inaudible>

FLYNN: I ...I heard knife on the radio, I saw a knife or a ...instrument representing a knife the whole time, there was no gun. Uh I was the one with the gun, no gun on his part.

Roberts: Okay. Let me just look for just a second.

Winterhalter: Um, lets just have him um ...at least do this while you're looking at notes and just have him sign...

Dollar: Of you'll just...


Winterhalter: ... and date those <Talkover - inaudible> just to represent, these are the maps that we used in here today...

FLYNN: Okay.

Winterhalter: <Talkover - inaudible>...acknowledge that.

FLYNN: Sure.

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Dollar: Just on uh... the white part if you'll... either top or bottom <Talkover - inaudible>

FLYNN: Initial and date or sign and date?

Dollar: Just sign uh... might be easier if you put your code number also...

FLYNN: Sure.

Dollar: ...and then date and time.

FLYNN: It's the 5th?

Dollar: And it's... it is February 5th... and it is 1600, 4 o'clock.

FLYNN: <Inaudible>

Roberts: <Inaudible> From the time you fired your first round to the time you fired the last round, did the subject ever disengage from you, did he ever indicate anything like he was putting down his knife or turning away or anything like that?


FLYNN: No, eyes locked on me, knife in hand, running at me, eye contact.

Dollar: Yall good?

Roberts: <Inaudible>... follow ups <Inaudible>

Dollar: Um we're just gonna step out just a second, let me make sure that uh... we're good on questions and then we'll <Talkover - inaudible>

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FLYNN: No problem.

Dollar: Um... I'm gonna pause this at 1601.

JD/SW/rge

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Exhibit 6

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THIS'LL BE IN REFERENCE TO COMPLAINT NUMBER 20180202130500, THE DATE IS 2/2/2018; CURRENT TIME IS 1514 HOURS. PRESENT IS DETECTIVE HEFNER AND DETECTIVE PEARSON IN ROOM 2127 AT THE LAW ENFORCEMENT CENTER. THIS WILL BE A RECORDED INTERVIEW WITH OFFICER JEFFREY KEMP PORTER, DATE OF BIRTH 2/15 OF 1990; HE WORKS IN THE FREEDOM DIVISION.

Hefner: Officer Porter you understand that I'm audio recording this conversation?

PORTER: Yes sir.

Hefner: Okay, alright um if you need anything, if um... you wanna step out just let me know okay I... I appreciate you coming in um and... and talking to us um... I told you before we turn on the recording that I gotta go over a form with you and then we'll get into the actual um narrative of what occurred so bear with me as I start filling this out here. Detective Pearson remind me your middle initial.

Pearson: G.

Hefner: And code number?

Pearson: 4432.


Hefner: What's your code number Porter?

PORTER: 4784.

Hefner: Date of hire?

PORTER: August 29th 2011.

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Hefner: You got prior law enforcement or military experience?

PORTER: No Fire and Medic.

Hefner: Where did you work um Fire and Medic?

PORTER: Uh Mint Hill Fire Department and Mecklenburg County EMS Agency.

Hefner: Okay and uh Freedom Division uh what shift are you on?

PORTER: Second.

Hefner: Your hours today?

PORTER: 1245 to 2300.

Hefner: What was your radio call sign?

PORTER: 27-1103-2nd.

Hefner: Um you work off of Freedom talk group?

PORTER: That's correct.


Hefner: Who was your supervisor today?

PORTER: Brent Harrison.

Hefner: That's a Sergeant?

PORTER: Yes sir.

UCR Clearance Status <input type="checkbox"/> Open <input type="checkbox"/> By Arrest <input type="checkbox"/> Exceptional <input type="checkbox"/> Unfounded		23. Reporting Officer M.L. Hefner	Code 4764	Assignment Homicide	Date 02-02-2018
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Hefner: I guess that...we call that the... what do you we call it class B's or...

PORTER: Class B.

Pearson: Uh huh.

Hefner: Class B?

PORTER: Uh huh.

Hefner: I've always referred to it as the 511 uniform I never knew where it fell in the letters. Uh how tall are you?

ORTER: 6 foot 4.

Hefner: Amount of sleep you had last night?

PORTER: Uh...

Hefner: Just ballpark it.

PORTER: <Inaudible>...seven...no, I'd say eight hours, about eight hours.

Hefner: Did you work any off duty before you started the shift today?


PORTER: No sir.

Hefner: Uh were you operating a vehicle today?

PORTER: Yes.

Hefner: Do you know the number?

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PORTER: 921.

Hefner: PDA921?

PORTER: That's correct.

Hefner: You were the driver?

PORTER: Correct.

Hefner: Were there any passengers?

ORTER: No sir.

Hefner: And it's a marked vehicle?

PORTER: It is.

Hefner: And is there a DMVR operational in the car?

PORTER: No there's not.


Hefner: Um your duty weapon um is it a full size ...

PORTER: Yes.

Hefner: ... Smith and Wesson M & P?

PORTER: Uh huh.

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Hefner: Alright do me a favor, make your gun safe and lay it on the...the counter. If you will, take your two back up mags and just lay them over there
<Inaudible>...primary. <Inaudible>...feeling bad <Inaudible>...coughing too?

PORTER: I'm still coughing some...

Hefner: <Inaudible>...I can't shake it <Talkover - inaudible>

PORTER: Yeah I was gonna tell ya it's gonna last a while.

Pearson: Uh huh <Talkover - inaudible>

Hefner: Ah man I'm eating cough drops like candy and it's killing me. Henry, Sam, Victor 9777 is the serial number...three... Fifteen in the primary mag
<Talkover - inaudible>

PORTER: <Inaudible>...witness?


Hefner: Only because you're there when it...when it's fired um...and each case can vary as to whether or not we do one but prior to me coming in here all I was informed that you were actually a witness to the actual shooting itself so it is pretty standard. If we have a question as to...whether somebody was there we'll do 'em as a precaution anyway so...

PORTER: Okay.

Hefner: <Inaudible>... fifteen... fifteen in the back, first back up mag. Fifteen in the other back up <Inaudible> ...I'm a keep doing the questions while you're loading. Um did you have a secondary issued weapon today?

PORTER: No I don't.

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Hefner: And uh let's see, back up weapon <Inaudible>

PORTER: No sir.

Hefner: And since this occurred have you taken any notes?

PORTER: Uh the only notes that I've taken were just now who I turned my camera over to.

Hefner: Okay.

PORTER: Can I go ahead and make this safe again?


Hefner: <Talkover - inaudible>...if it was my choice I'd say yes <Inaudible> Um alright um told you before that I...I'm...I'm a shoot straight Porter, I don't know what happened, Detective Pearson <Inaudible>...in front of each other, follow each other here...we came here and asked us to interview okay so um I'm a ask you what happened but don't make any assumptions that I already know anything, all I know is that there was an officer that fired you were a witness to that, that's the <Inaudible> of what I know okay.

PORTER: Yes sir.

Hefner: Um in your words, tell me what happened today.

PORTER: Alright uh start from the beginning uh we had just got out a roll call, second shift roll call starts at 12:45 uh we wrapped that up and um they were asking for units to clear for a priority one suicide threat over in Timberbrook. Um I hadn't logged on yet so I didn't...I didn't even...didn't even remember where they said it was. It took me a minute to get deployed because uh...today's my Monday so I had to get loaded up uh somebody had swapped uh...put a

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shotgun in my car, I had to swap that out for a rifle and so it took me a minute to get moving. Um... I think... I guess it would've been around the time that I was getting my bag of stuff for my person car, they were advising that uh the individual was armed with a knife now and I think... I left, I still hadn't even got logged on yet, I left, there were two other officers in front of me Calabro and I believe it was Rodriguez that left out at the same time, we started heading... I asked the dispatcher uh where'd you say the call was, they said it was in Timberbrook um so I just started moving to Timberbrook, tried to get logged on. I was not initially running emergency traffic there um mainly cause I wanna get logged on and see exactly where the heck I was going first.

Hefner: Uh huh.

PORTER: Um and then while I was still trying to get logged on one of the two guys either Calabro or Rodriguez in front of me hit their blue lights and started moving and at that time I heard Sergeant Dunn and he had checked enroute from the office when they said the guy was armed with a knife and so at the same time one of those guys blue litted up uh I heard Sergeant Dunn on the radio saying um to make sure that Fire or Medic, one of the two, had gotten back from the scene so I... I'm trying to get logged on cause I'm assuming, at this point, that something has escalated even further that's requiring Calabro to blue light it up and for Sarge to come over the radio. Um so I try to get logged on very quickly, when as I'm scrolling down trying to scroll through the information real quick I... I... I was able to read that uh... um... the guy had a knife he um... fire was there and that they were trying to talk him down but he was still armed with the knife while Fire was present. Um they were asking for officers, so by this time I left the office, I went Havelock, right on Alleghany, left on Denver, right on Mulberry Church, right on Billy Graham and took Billy Graham to Tuckaseegee, made a right on Tuckaseegee and that takes me into Timberbrook, right on Timberbrook.

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Hefner: Okay.

PORTER: So about the time that we are pulling into Timberbrook which, by this point, I'm blue lighted... I blue lit it up as well, um so by <Inaudible>... Timberbrook um I could hear Sarge again, Sarge was saying something over the radio to Officer Flynn who I didn't... I didn't even know he was on the call at first but as I'm pulling up the map, I guess, Sergeant Dunn could see the same thing I could see that he was pulling down in there. Um so with him... with him pulling in I... I... I... I asked that the channel be held because we weren't sure, ya know, not sure what's going on, Fire's in the middle of it, this guy's still got a knife. So I... I requested the channel be closed uh to give Flynn the radio space and because there were three more of us rolling in. If you go into the complex, the complex is one way in, one way out, but it circles around so it splits and there's a couple little side streets that come off a that um... I initially misread...

Hefner: I'm a pause just one minute because before we came in here somebody handed me a diagram...

PORTER: <Talkover - inaudible>


Hefner: <Talkover - inaudible>... the one closer to you is further out and this one is a close in zoom of it.

PORTER: Sure.

Hefner: I'm showing these to you know and then you can do whatever you need to <Inaudible> explain to us.

PORTER: Yeah that's fine so... so I... we're coming this way, we make a right on Timberbrook here. I initially, because I'm kind a trying to process the

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computer very quickly, what the comments are <Inaudible>... I thought, on the map, it was right in here...

Hefner: And I'm... You're gonna hear me narrating for the purpose of the recording, you're showing it... And this is kind of a football shaped um apartment complex if you look at the street <Inaudible>... look like a football. You talking bout on the back left side of the complex where you think it is?

PORTER: Correct, now this is... this is incorrectly labeled here as well, Hickory Bluff is this street here...

Hefner: Okay.

ORTER: ...but this whole circle here is all Timberbrook.

Hefner: Okay, alright.

PORTER: Um so Calabro and Rodriguez... they... they came in and they went straight down...

Hefner: Okay.

PORTER: ...to this area. I misread the map and I had took a left...


Hefner: <Talkover - inaudible>

PORTER: ...where it's saying Hic... Hickory Bluff is here.

Hefner: Okay.

PORTER: Thinking that the call... Can I mark on this?

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Hefner: <Inaudible>...you sure can.

PORTER: I...I was reading the call like it was this building here...so when I come hauling in here I realize I don't see fire truck, I don't see <Talkover - inaudible>

Hefner: <Talkover - inaudible>...hand you a marker so you can...

PORTER: Okay.

Hefner: ...mark that a little bit better if you need to.

PORTER: Yeah I thought it was this building here.

Hefner: Okay.

PORTER: So I hooked a left thinking that everybody as here and when I come flying up I realize obviously it's around the corner so I pull, I basically made the right turn right here.

Hefner: Uh huh.


PORTER: And immediately um...<Inaudible>... uh immediately um I come in behind Flynn's car...

Hefner: Okay.

PORTER: ...which I believe was 552.

Hefner: Okay.

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PORTER: Um and I made the right and bam uh Flynn is back pedaling as fast as he can uh he's firing shots at a heavier set white male who's got the knife in his hand and he is charging straight to Flynn.

Hefner: Okay.

PORTER: Um I'd say total, approximately three to six shots fired. Um I got out a the car, there was a gold or silver uh Buick I think maybe a Grand Marquis or uh Mercury Grand Marquis um kind a... so Flynn's cars pulled right like this, this guy was here and I kind a came in behind um so I kind a hugged the side a that car, drew down, started giving verbal commands to the guy as well, drop the knife, drop the knife. I'd say Flynn... Flynn was back pedaling around the driver's side of his car...

Hefner: <Inaudible>

PORTER: Yeah.

Hefner: I'm gonna give you another piece of paper and you can...

PORTER: Draw <Talkover - inaudible>

Hefner: ...<Talkover - inaudible>... your pen, yeah draw the... kind a how it lay's out, where the cars are and then who's walking where.


PORTER: Okay so...

Hefner: Take your time and... we're not gonna judge you on your...

PORTER: Yeah don't.

Hefner: ...your diagram cause I make terrible diagrams.

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PORTER: Um... I guess this would make it easier, this is uh... how am I looking at this here? So this is... okay <Inaudible>... so there's this building which is this building here.

Hefner: Okay.

PORTER: <Inaudible>... just... this is the road.

Hefner: Okay.

PORTER: So there is a uh... this is the Mercury...

Hefner: Okay.

PORTER: ...Flynn's car is pulled at an angle like this.

Hefner: Okay.

PORTER: And so I come up and I'm parked ...so I'll just do 921 and I think this was 552 maybe.


Hefner: Okay.

PORTER: Um... and this car actually was maybe a little bit further next to mine because when I took... I kind a took cover and it was actually directly next to mine so let me re do this <Inaudible>

Hefner: Okay, it's alright.

PORTER: Um so I'm kind a... I kind a get out right here...

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Hefner: Uh huh.

PORTER: ...but as Flynn is back pedaling this guy so...the suspects coming around...

Hefner: <Inaudible>...when you're drawing the diagram, the suspects coming around the front of Officer Flynn's car?

PORTER: He's come...he's coming around the front of the car and Flynn is moving, he's trying to back up and he's getting ...he ends up stopping behind his trunk here.

Hefner: And I'm...I'm gonna narrate for this, so you draw an arrow showing that he came around the front of Flynn's car and if I'm reading your arrow's correctly he came ...uh Flynn back pedaled down along the driver's side of his own car?

PORTER: That's correct.

Hefner: And then went to the trunk area and...


PORTER: Yeah he...he takes cover behind the trunk and so the suspect...I'm gonna be honest, if he hadn't a sat down where he did I'd a been...I'd a been being investigated to because I was...I was probably gonna shoot him.

Hefner: When you say he sat down, the suspect?

PORTER: So basically... Flynn fires, I'd say...like I said approximately three to six times um and the guy... the guy was still moving so Flynn's...Flynn's firing as the guys coming around the front of his car.

Hefner: Okay.

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PORTER: Um and he was not...it didn't appear he was stopping, from what I could tell.

Hefner: Okay.

PORTER: Um and I'd say the distance between them was probably no more than six to eight feet as the guy was coming at him with the knife. Um... I could see the knife, I believe, in his right hand um and it appeared to me to be like a steak knife, like just a regular <Inaudible>... regular size steak knife.

Hefner: Okay.

PORTER: Um...so I drew down and I'm giving him orders as well, he kind a sit...he kind a sits down on the ground and he's holding the knife in his hand um...

Hefner: Where's he seated in this diagram?

PORTER: He...pretty much he...he ends up stopping like right in here.

Hefner: So near the driver's door...

PORTER: Near the dri...yeah kind of...


Hefner: ...of Flynn's car?

PORTER: ...next to the...the...the ...the left side of his car somewhere <Talkover - inaudible>

Hefner: Okay.

PORTER: And Flynn's behind the trunk and I'm between 921 and this Buick that's sitting here.

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Hefner: Okay.

PORTER: Um and so, like I said, if he hadn't a sat down right there if he'd a kept coming around I'd... I was gonna... I would a shot him too um because he...

Hefner: Did... did he... did it appear he complied with your commands or he... he was injured enough that he had to sit down?

PORTER: I think he was injured enough that he had to sit down...

Hefner: Okay.

PORTER: ...cause he sits down, the knife is still in his hand I'm telling him drop the knife, drop the knife. At one point and... you... you know, uh... at one point the Fire departments even trying to come up behind Flynn and I cuss them I was like get the fuck back, hey you know get back cause we're not done, ya know, we're trying to figure out if he's gonna get back up, what's he gonna... ya know, so I... I ordered them to get back and then about that time uh I didn't see the knife in his hand any... anymore and he lay's... he lay's back on his back.


Hefner: Okay.

PORTER: Um...

Hefner: He's still right beside Flynn's car?

PORTER: He did... yeah he didn't move he just... he... from where he was seated he just kind a laid straight back um... I did not see the knife at that point and so at that time you have... I'm not gonna draw anymore but you have a Sergeant and Officer Calabro come running up and they're... they're kind a both right here like behind the engine compartment ...

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Hefner: Okay.

PORTER: ...on the passenger side.

Hefner: Okay.

PORTER: Um so we communicate to... alright his hands are empty and we move up um Sergeant Dunn wanted us to roll the guy over um but when we did that, when we started to do that the knife was, I think it was between his legs is where I grabbed it and I moved it over and then I told Rodriguez and I basically just kind a moved it like right in here.

Hefner: Okay.

PORTER: So I told Rodriguez stand on that knife and then by that...ya know, Fire kind a descended on him to start treatment on the... on the suspect. Um...


Hefner: Was he handcuffed at all or he was...?

PORTER: I...I think...I ...I don't know, I ...I heard somebody say that Sergeant Dunn told them to handcuff him but after I...after I told Rodriguez to stand on the knife I went over to Flynn um....

Hefner: Okay.

PORTER: ...and Dunn had ordered me to stay with Flynn so I went to Flynn and we just kind of... we just ended up like... we were kind a like right in here, right where the two roads meet and we just stood there, I called the FOP and I waited with Flynn until Sergeant LeClerc took him.

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Hefner: Um Officer Flynn's demeanor, can you describe that to me, how...how was it at that point when you go to him?

PORTER: Uh...<Inaudible>...I don't know I mean I...<Talkover - inaudible>

Hefner: <Talkover - inaudible>...is Officer Flynn somebody you know regularly like you work with him every day?

PORTER: I've known Flynn for a couple years...

Hefner: Okay.

PORTER: ...but I don't work with him every day, he's on first shift so usually...

Hefner: I got ya.

PORTER: ...we have an hour overlap so we try to make sure those guys don't do anything in their last hour so I don't really...I don't <Inaudible>...it's not...he's not somebody that I run calls with regularly but I...


Hefner: And I...I'm...I...I have to...I always try to narrate if there's someone listening to this recording later, may not be a Police officer so basically Officer Flynn works first shift...

PORTER: That's correct.

Hefner: ...um he goes home an hour after you come on second shift?

PORTER: Yeah so my...my roll call time is 12:45 p.m. uh we usually hit the road between 1 o'clock and 1:15 and their end of shift time is 2 o'clock.

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Hefner: Okay so very... <Inaudible>...uh I...I have to imagine cause I...I've been in...in that kind of a scenario where people overlapping, you don't see him every day...

PORTER: Correct.

Hefner: ...um in...in fact, it's probably rare you're on a call with him <Talkover - inaudible>

PORTER: That's correct.

Hefner: Okay.

ORTER: If...if...if anything, ya know, I...I...I'll try and, ya know, if I see him usually it's because I'm relieving him on some kind of a scene <Talkover - inaudible>...held over.

Hefner: When you got to Officer Flynn was he um...just simple question, was he upset, crying, was he calm, was he shaking <Talkover - inaudible>

PORTER: He was calm.


Hefner: He's calm? Okay. Um was his gun reholstered when you got to him <Talkover - inaudible>

PORTER: Yes.

Hefner: Okay, alright um...

PORTER: He initially...he initially stood by and waited by the passenger side of my car...

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Hefner: Okay.

PORTER: ...and he just kind a... I think he opened the door and he was leaning up against the car.

Hefner: Okay.

PORTER: Um so when I got to him uh... I asked him uh if he wanted me to make the call and he... a Sergeant, I think Sergeant Dunn came up and said something about holding off and I... I was... no I'm gonna go make the call so I... I did that and then just stood there with him the rest of the time.

Hefner: Okay, alright um... did... I know we did your round count, based on your description I'm just gonna ask you some questions <Inaudible>... gonna sound really stupid to you but I need to clear 'em uh did you fire your weapon at all?

PORTER: No.

Hefner: Um do you believe you're a witness to the entire incident?


PORTER: No because I did not see Officer Flynn getting there I don't know what his initial confrontation with the suspect was. I... I've actually dealt with this guy before...

Hefner: Okay.

PORTER: Um...

Hefner: Talk me through that, tell me about that.

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PORTER: Yeah we...we went out there, second shift responded out there, I wanna say it's been within the last month, I wanna say it's been within the last thirty days.

Hefner: Okay.

PORTER: Um...him and his mother live in this 3205 building...

Hefner: Okay.

PORTER: Um and the suspect has a very serious case of paranoid schizophrenia.

Hefner: Okay.


PORTER: Um I cannot recall his name at the moment um but when we were out there last I believe it was his mother that they called us out. Um... Officer Miles and I spoke with him, we were trying to get him to go to Billingsley um I wanna say may...it may have even come in as a CIT call I...I...I can't remember. I don't believe he was suicidal that night but I know that his mother told me he...he's been uh... non compliant with his medications...

Hefner: Uh huh.

PORTER: ...and he believes, and I remember him telling me, that he believes that his medications make him worse. He's supposed to be on either Haldol or Sparadol one of the two very strong anti psychotic medications um but instead of that...Oh I remember now, we got called because instead of taking his medicine he prefers to take um... I believe it was Ecstasy.

Hefner: Okay.

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PORTER: I believe it was the drug that he chooses um and I spoke with him that night about, ya know, how it's... it's probably contributing to whatever manifestations of his schizophrenia occur when he's non compliant with his prescription medication uh and <Inaudible> ...I remember asking him if he wanted to talk to me about where he's getting his Ecstasy but he was like nah it's a friend, ya know, I'm not gonna... But he was... man he was out there, he was very grandiose in his talking about he's a God and he's, ya know... transcended into the heavens and, ya know, he can't be... ya know, tied down to... He... He's... he was just out there then so we... we were gonna take him ourselves to Billingsley we actually had talked him into going into... we... we talked him into the car, believe he just got out a the hospital that day, if I'm not mistaken, I may be getting things mixed up here so don't... don't hold me to that but um we ended up calling Medic instead because the consensus was if this was a severe as it was kind a displaying at the moment, if he goes to Billingsley voluntarily there's the possibility that he could leave voluntarily as well and he... he needed to be held onto for a little while so they could kind a regulate, get him back on his medications. Um so we ended up calling Medic and they transported him and I don't think <Inaudible>... I think the entire interaction with him that night was uneventful out there um... and then uh...

Hefner: Do you remember if you had BWC that night?

PORTER: I do, I do believe I did.


Hefner: You think it's been some time <Inaudible>... in the last month?

PORTER: I wanna say it's been in the last 30 days yeah.

Hefner: Okay. Okay.

PORTER: Yeah I'm pretty sure I recorded that whole interaction with him as well.

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Hefner: Okay.

PORTER: And he was uh...he was pretty upset that day, I remember he was very upset he's very animated um..

Hefner: Any discussion on that date about uh him wanting to hurt himself, kill himself?

PORTER: I...I couldn't...I can't tell you, I don't remember I...

Hefner: Okay.

ORTER: ...I wanna...that's normally a question I ask people in those moments um so uh ya know I...I may have but I...I don't remember if I did or not.

Hefner: Um any sign...if you recall any sign <Inaudible>...of injury to him on that night like old injuries, cutting, anything like that?

PORTER: I don't...I don't think I made any observations of that.

Hefner: Okay but he ultimately was transported from Timberbrook by Medic that night?


PORTER: That's correct <Talkover - inaudible>

Hefner: Okay so we should be able to find that one in...

PORTER: Uh huh.

Hefner: ...in CAD somewhere. Um the behavior that you saw a month ago, you...you said he was animated and grandiose things like that, did anything

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look similar to you um...today when you saw him or... or was today much more severe?

PORTER: I...I didn't have...so I didn't have that much interaction, I...I rolled up as he's charging Flynn I'm getting out of the car as Flynn's firing and I gave a couple verbal commands or maybe just one verbal command to drop the knife and I think that was even after he had already sat down from the injuries...

Hefner: Okay.

PORTER: ...he had already kind a started to collapse and still hand the hand in...the knife in his hand and then uh, ya know, so I don't even...I don't...I don't remember him saying anything today.

Hefner: So there was no dialogue between you he didn't respond back to you
<Talkover - inaudible>

PORTER: No there was no talk between me and him...


Hefner: Okay.

PORTER: ...at all.

Hefner: Um in terms of who else ...I mean you drew your car and Flynn's car, is there any other officer that you're aware that wasn't an actual eyewitness to this, I know you said you arrive with two other officers...

PORTER: Yeah I...I thought that Calabro and Rodriguez would've because...because as I'm going this way they're rolling up so they...I don't know if they got stuck behind the fire truck cause there's really not much clearance here...

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Hefner: Uh huh.

PORTER: ... so I don't know if their delay in getting there was because they had to... cause the fire truck was like way back here somewhere...

Hefner: Okay.

PORTER: ... and so they may have had to park, I don't know... they may have had to park behind there and walk up...

Hefner: Okay.

PORTER: ... cause I know they said they heard the shots but I... I... some... a captain or somebody on scene said that I was the only witness apparently...

Hefner: Okay.

PORTER: ... so...

Hefner: So when... when you're watching this going down and... and... and this is hard um... but you're watching this going down, we tend to go into tunnel vision...


PORTER: Uh huh.

Hefner: ... but if you can think to yourself, branching out, what's in your peripheral, did you see anybody else, any civilian witnesses?

PORTER: Oh yeah there were a ton of people out there for sure.

Hefner: Okay.

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PORTER: There were a lot a people out there and I...I...and I know almost immediately I saw cell phones being pulled out. I don't know if it was being filmed live at the time um but there were people, there were people standing out here in front of this building.

Hefner: Uh huh.

PORTER: There was some people standing out here in the ...in the clearing here um as far as to my right on this side I don't know um but there was...I'd say there was probably, maybe as many as ten people out.

Hefner: Okay.

ORTER: <Talkover - inaudible>

Hefner: All civilians?

PORTER: Yes.

Hefner: Okay.

PORTER: And the Fire department of course they were right there in the middle of it too.


Hefner: Okay where. .where was, in terms of your diagram, you say the Fire department so how...how many firefighters are you thinking were there?

PORTER: I think four were there...

Hefner: <Talkover - inaudible>

PORTER: ...and they were all...they were all standing like right over here, initially...

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Hefner: Okay.

PORTER: ...um right in here, but almost... So while Flynn and I... Flynn's right here, we're giving commands, the guy kind a sits down and they come up behind Flynn in front of my car and they're trying to go ahead and start treating him while he still had the knife in his hand so that's when I'm yelling at them, yall need to get... yall need to get back, ya know, don't <Inaudible>... what's wrong with you guys, don't go run in the middle of this thing.

Hefner: Uh huh.

PORTER: Um...and so then they all just kind a hung here behind Flynn until...until it was done.


Hefner: And I didn't hear it before <Inaudible>... clarify, you went to Flynn you...you never...did you ever go to the actual suspect and give any medical aide or anything?

PORTER: No I went to the suspect, they already took pictures, I got a little of his blood on his hand from move... moving the knife <Talkover - inaudible>

Hefner: Okay.

PORTER: I went there uh, ya know, typically in the... If it's me there as an officer and I'm the only one there my lap...my certification has lapsed, I still know what I'm doing, I...I will render aide but with Fire being there, Flynn, all that I...I defer, ya know, I deferred to them I just wanted to remove the knife and then um I didn't do anything else, I didn't check him for another weapon I...I removed the knife, told Rodriguez to, ya know stand on that and then I went straight to Flynn because Flynn was by himself.

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Hefner: Okay. Um... Give me a minute, we're gonna pause this I'm gonna step out...I've been getting some texts while I've been in here and I wanna take time to read those and figure out...make sure, before I cut you loose is there anything else I need to ask you <Talkover - inaudible>

PORTER: Okay.

Hefner: Okay?

PORTER: Do we know if this guy's dead yet?

Hefner: He has been pronounced <Talkover - inaudible>

ORTER: He has been? Okay.

Hefner: He has been pronounced yeah.

PORTER: Alright it looked bad I mean I...I didn't expect him to...

Hefner: Yeah he made it to the hospital and was pronounced at the hospital.


PORTER: Okay.

Hefner: So... um but give us a minute to step out, when we step out you're fine to make your weapon <Talkover - inaudible>

PORTER: <Talkover - inaudible>

Hefner: ...load your weapon, yeah I have no problem with that and um this recording will be paused; uh current time is 1545.

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Hefner: This recording is resumed time is 1555... <Inaudible>... um what does everybody call you Jeff or Jeffrey?

PORTER: <Talkover - inaudible>...Porter mostly.

Hefner: Call you... alright.

PORTER: Yeah.

Hefner: Well do you got anything else... we're... we're done... I... we went in there, just clarified some stuff with everybody, made sure everything was good. Um I'll get you to sign these... let you use your pen cause as you can tell I'm fighting the funk, just sign 'em... The only reason I want you to sign... these ... what I showed you, if you see them six months from now a year from now you'll know those are the exact ones that I showed you that's why I want you to sign. Sign 'em and date 'em um... and... that should be enough. Um anything you've thought of while we were out that... <Inaudible>... I don't have any more questions but if you had thought of anything <Inaudible>... sign anywhere on there, just <Talkover - inaudible>

PORTER: <Talkover - inaudible>...this one too if it's blank?

Hefner: Yeah just cause I showed it to you.

PORTER: No I can't think of anything else that I missed.

Hefner: Okay. Alright. <Inaudible>... This'll conclude the recording; time is 1556.

MH/BP/rge

Reviewed by Detective M.L. Hefner on 02-08-2018.

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Exhibit 7

Mecklenburg County M E Office

3440 Reno Avenue, Charlotte, NC 28216
Telephone 7043362005
Fax 7043368353

REPORT OF AUTOPSY EXAMINATION

DECEDENT

Document Identifier B201800606
Autopsy Type ME Autopsy
Name Charlie Dean Shoupe Jr
Age 27 yrs
Race White
Sex M

AUTHORIZATION

Authorized By J. Michael Sullivan MD **Received From** Mecklenburg

ENVIRONMENT

Date of Exam 02/03/2018 **Time of Exam** 12:15
Autopsy Facility Mecklenburg County M E Office **Persons Present** Mr. Jacob May

CERTIFICATION

Cause of Death

Multiple gunshot wounds

The facts stated herein are correct to the best of my knowledge and belief.

Digitally signed by

J. Michael Sullivan MD 28 April 2018 13:41

DIAGNOSES

1. Gunshot wound of the abdomen/pelvis/right leg with injury to femoral artery branch and laceration of femoral vein with hemorrhage into soft tissues of groin and right leg
2. Gunshot wound of right leg with injury to soft tissue and musculature
3. Gunshot wound of left leg with re-entry into right leg with injury to soft tissue and musculature, left leg and right leg
4. Gunshot wound of left leg with injury to soft tissue and musculature of left leg
5. Abrasion of right flank, possible gunshot graze wound
6. Sharp trauma injuries
Five superficial and shallow cutting wounds, left forearm and wrist
7. Blunt trauma injury
Small contusion, left hand

IDENTIFICATION

Body Identified By

Papers/ID Tag

EXTERNAL DESCRIPTION

Length 71 inches
Weight 264 pounds
Body Condition Intact
Rigor 3+
Livor Purple, posterior
Hair Black
Eyes Hazel
Teeth Present

The body is that of an adult white male, appearing the stated age, heavysset, unclothed, with evidence of recent medical intervention including oral endotracheal tube in place, rib spreader holding open a left thoracotomy incision over the left chest, two short linear thoracostomy incisions over the lateral right chest, large femoral cut down incision in the

right groin, pulse oximeter on the left index finger, intraosseous catheters in place right and left lower legs. A hospital identification bracelet lists the name "OREGON TRAUMA", and lists the the medical record number for Charlie Dean Shoupe. There is blood dried on the left arm and hand and over the lower torso and legs. There are tattoos as per diagram.

INJURIES

GUNSHOT WOUNDS DESCRIPTION:

GUNSHOT WOUND #1:

This is a gunshot wound of the abdomen, pelvis, and right leg with entrance wound located over the lower quadrant of the abdomen just below the umbilicus, approximately 30" below the top of the head and centered approximately 1/4" to the left of anterior midline. Entrance wound is oval, measures 5/16" x 3/8", shows abrasion margin, no soot or powder stippling.

The wound continues in a direction downward, to the right and slightly backward perforating the anterior abdominal wall without entrance into the peritoneal cavity, exiting from the right lower quadrant abdominal wall through a slit-like exit wound located approximately 34 1/2" below the top of the head, 3" to the right of anterior midline. Wound measures 1-1/8" in length and up to 1/4" in width. There is an immediately adjacent re-entrance wound in the right groin, located approximately 35 1/2" below the top of the head, 3" to the right of anterior midline. Re-entrance wound is slit like, measures 1" x 3/8".

The wound continues in a similar direction through the groin and right upper leg. There has been previous dissection in the area of the groin, attempted femoral cut down incision and dissection. There is disruptive injury by the gunshot wound through soft tissue and musculature of the right upper leg, laceration with near transection of the proximal femoral vein, and laceration of deep femoral arterial artery branch. There is residual dense hemorrhage within soft tissue and musculature of the right upper leg. Bullet is recovered within deep soft tissue over the posterior right upper leg and is a deformed, medium caliber, yellow metal jacketed, gray metal bullet.

In summary, this is a gunshot wound of the abdomen, pelvis and right leg which caused injury to soft tissue of the abdomen, injury to soft tissue and musculature of the groin and right upper leg with injury to femoral vasculature and hemorrhage into soft tissues of groin and right leg.

GUNSHOT WOUND #2:

This is a gunshot wound of the right upper leg with entrance wound located over the anterior right upper leg, 43" below the top of the head. Entrance wound is oval, measures 9/16" x 3/8", shows abrasion margin, no soot or powder stippling.

The wound continues in a direction to the right, downward and slightly backward, perforating soft tissue and musculature over the anterior right upper leg, exiting from the lateral aspect of the right upper leg, 44" below the top of the head where there is an irregular oval exit wound measuring 1" x 1/2".

In summary, this is a gunshot wound to the right upper leg which caused injury to soft tissue and musculature.

GUNSHOT WOUND #3:

This is a gunshot wound of the left leg with re-entrance into the right leg. Primary entrance wound is located over the anterior lateral aspect of the left upper leg, 39" below the top of the head. Entrance wound is oval, measures 3/8" x 7/16", shows abrasion margin, no soot or powder stippling.

Wound continues in a direction to the right, downward and slightly backward, perforating soft tissue and musculature over the anterior left upper leg, exiting 43" below the top of the head where there is an irregularly oval exit wound measuring 1 1/4" x 3/4".

There is an apparent re-entrance wound into the medial right upper leg, located 43" below the top of the head. Re-entrance wound is oval, measures 1" x 1/2", shows abrasion margin, no soot or powder stippling.

Wound continues in a direction downward, to the right and slightly backward through the right upper leg with

disruptive injury through soft tissue and musculature. Bullet is recovered within the posterior right upper leg immediately posterior to the shaft of right femur and is a deformed, medium caliber, yellow metal jacketed, gray metal bullet. There is hemorrhage along the wound track.

In summary, this is a gunshot wound of the left upper leg with re-entrance into the right upper leg which caused injury to soft tissue and musculature.

GUNSHOT WOUND #4:

This is a gunshot wound of the left leg with entrance wound located over the lateral aspect of the left leg just above the knee, 51½" below the top of the head. Entrance wound is round, ½" in diameter with abrasion/slight guttering anteriorly, no soot or powder stippling.

Wound continues in a direction backward, to the right and slightly upward, perforating soft tissue and musculature over the posterior aspect of the left upper leg, exiting from the medial posterior left upper leg, 51" below the top of the head. Exit wound is irregularly oval and measures 1" x ½".

In summary, this is a gunshot wound of the left upper leg which caused injury to soft tissue and musculature.

There is a roughly rectangular but irregularly shaped abrasion over the right flank measuring 1½" in length and up to ½" in width. This may represent a superficial gunshot graze wound.

SHARP TRAUMA INJURIES:

Over the flexor aspect of the forearm and wrist on the left is a parallel series of superficial and shallowing cutting wounds, from proximal to distal measuring 3½" in length, 3", 2", 2¼", and 2" in length.

BLUNT TRAUMA INJURY:

There is a ¾" faint purple contusion on the palmar aspect of the left hand near the base of the thumb.

DISPOSITION OF PERSONAL EFFECTS AND EVIDENCE

The following items are released with the body

None

The following items are preserved as evidence

None

PROCEDURES

Radiographs

X-rays show bullets projecting over the right leg.

Microbiology

None

Chemistry

None

Special Evidence Collection

Bullets, blood card

INTERNAL EXAMINATION

Body Cavities

No adhesions or excess fluid accumulations. Left lung partially atelectatic, prior dissection within the posterior mediastinum around the distal thoracic aorta. Pericardial sac previously opened.

Cardiovascular System

Heart Weight 360 grams

Coronary arteries show a normal distribution and focal atherosclerosis with no significant plaque restriction of left main stem, 50% restriction of proximal left anterior descending, thin plaque within the 1st diagonal artery and 2nd diagonal artery proximal course, thin plaque within the proximal course of the circumflex artery, and 50% restriction of

the proximal course of the right coronary artery. Valves and chambers show normal configuration. Myocardium unremarkable on section.

Respiratory System

Right Lung Weight 340 grams

Left Lung Weight 300 grams

Pulmonary arteries contain no thromboemboli. Larynx, trachea, and proximal bronchi clear. Lungs on section are unremarkable.

Gastrointestinal System

The esophagus is normal throughout. Stomach contains 2 cups of tan fluid. Duodenum unremarkable. Remainder of small bowel and large bowel unremarkable on periodic inspection and palpation. Appendix present.

Liver

Liver Weight 1630 grams

Capsule smooth and intact. Parenchyma firm and brown. Gallbladder present with liquid bile.

Spleen

Spleen Weight 150 grams

Capsule smooth and intact. Parenchyma firm and red.

Pancreas

Tan and unremarkable on section.

Urinary

Right Kidney Weight 140 grams

Left Kidney Weight 150 grams

Subcapsular surfaces smooth. Cortices not narrowed. Pelves and ureters not dilated. Bladder contains 80-100 cc of clear yellow urine.

Reproductive

Male genitalia. Prostate unremarkable.

Endocrine

THYROID: Unremarkable

ADRENALS: Unremarkable

Neurologic

Brain Weight 1320 grams

Meninges clear. Vessels at the base of the brain show a normal distribution and no atherosclerosis. On section, no focal abnormalities.

MICROSCOPIC EXAMINATION

Microscopic Comment

No tissue sections submitted for histology.

SUMMARY AND INTERPRETATION

This is a 27-year-old white male who was pronounced dead shortly after arrival at Carolinas Medical Center Main Emergency Department with multiple gunshot wounds on the afternoon of 2/2/2018, shortly after he had been shot by a CMPD officer.

Autopsy showed the body of an adult white male with multiple gunshot wounds. A gunshot wound of the abdomen, pelvis and right leg caused injury to soft tissue of the abdomen, injury to soft tissue and musculature of the groin and right upper leg, injury to femoral vasculature with hemorrhage into soft tissues of the groin and right upper leg. A gunshot wound of the right upper leg caused injury to soft tissue and musculature. A gunshot wound of the left leg with re-entrance into the right leg caused injury to soft tissue and musculature of both legs. A gunshot wound of the left leg caused injury to soft tissue and musculature. There was an abrasion over the right flank which may have represented a gunshot graze wound. There was no evidence of significant pre-existing disease with the exception of focal moderate

coronary atherosclerosis.

Toxicologic analysis of blood sample taken at the time of autopsy was negative for ethanol.

In my opinion, the cause of death is multiple gunshot wounds.

DIAGRAMS

1. BODY DIAGRAM: ADULT (FRONT/BACK)
2. BODY DIAGRAM: ADULT (FRONT/BACK)
3. BODY DIAGRAM: ADULT (FRONT/BACK)
4. BODY DIAGRAM: ADULT PROFILE (LEFT/RIGHT)

State of North Carolina

Name of Decedent: CHARLIE STOUPE

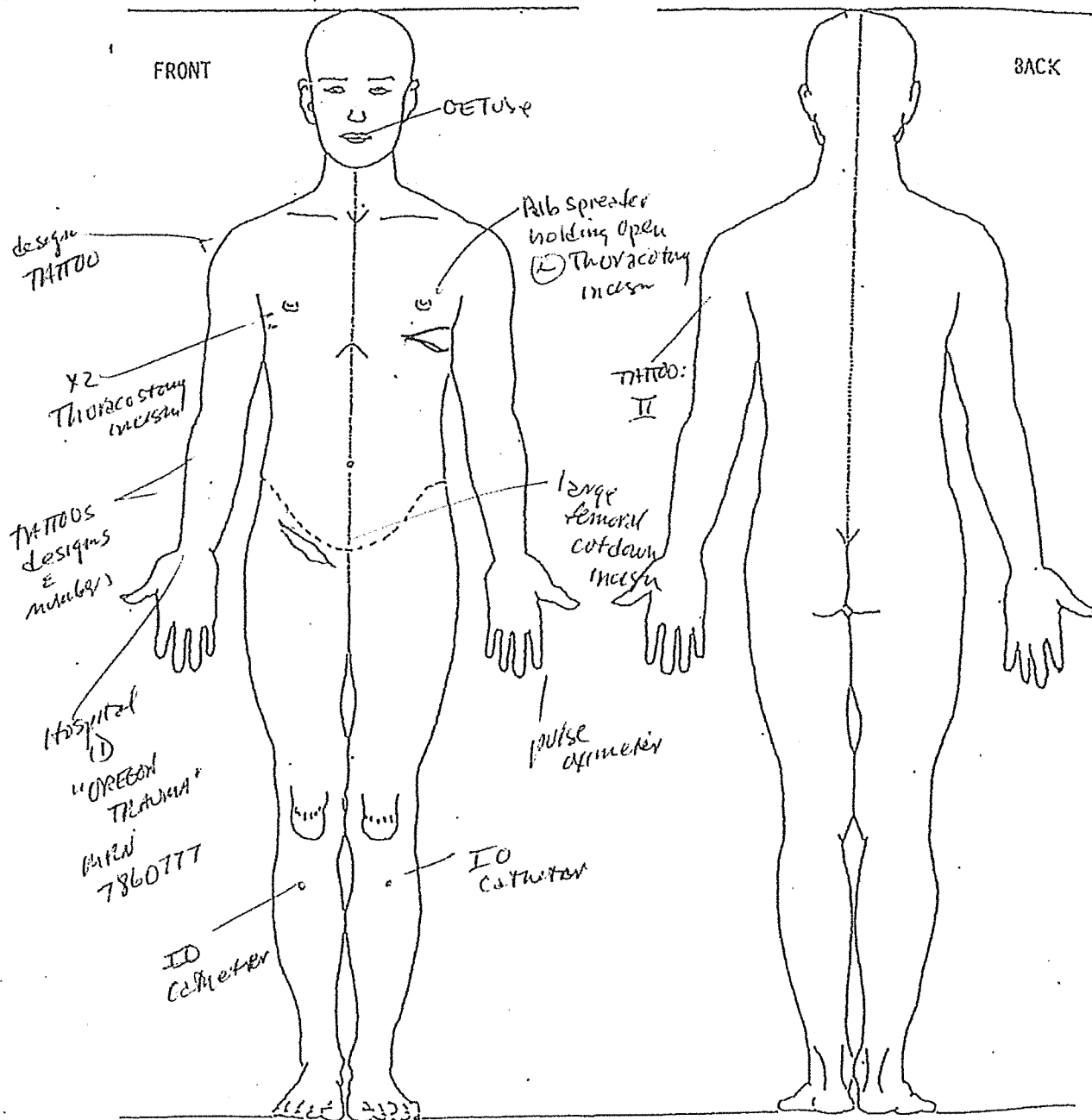
Office of the Chief Medical Examiner

Autopsy # B18-606

Chapel Hill, North Carolina 27599-7580

Examined By: ty Date: _____

BODY DIAGRAM: ADULT (Front/Back)



DEHR 1917 (4/97)
Medical Examiner

This form may be photocopied.

PAGE 1 OF 4

State of North Carolina

Name of Decedent: CHARLIE SHOPE

Office of the Chief Medical Examiner

Autopsy #

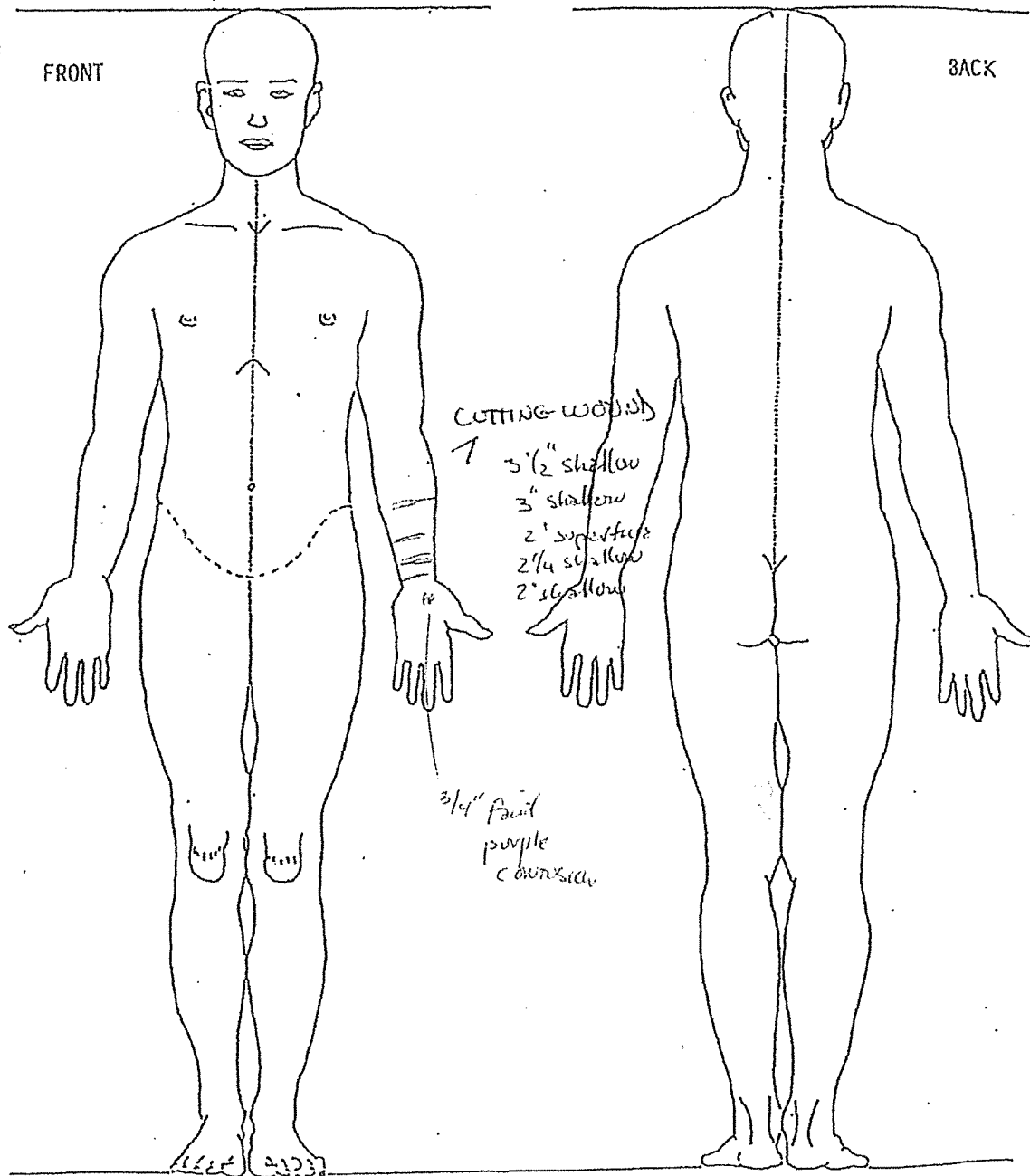
B18-606

Chapel Hill, North Carolina 27599-7580

Examined By: JS

Date: _____

BODY DIAGRAM: ADULT (Front/Back)



DEMR 1917 (4/97)
Medical Examiner

This form may be photocopied.

PAGE 2 OF 4

State of North Carolina

Name of Decedent: CHARLIE SHOPE

Office of the Chief Medical Examiner

Autopsy #

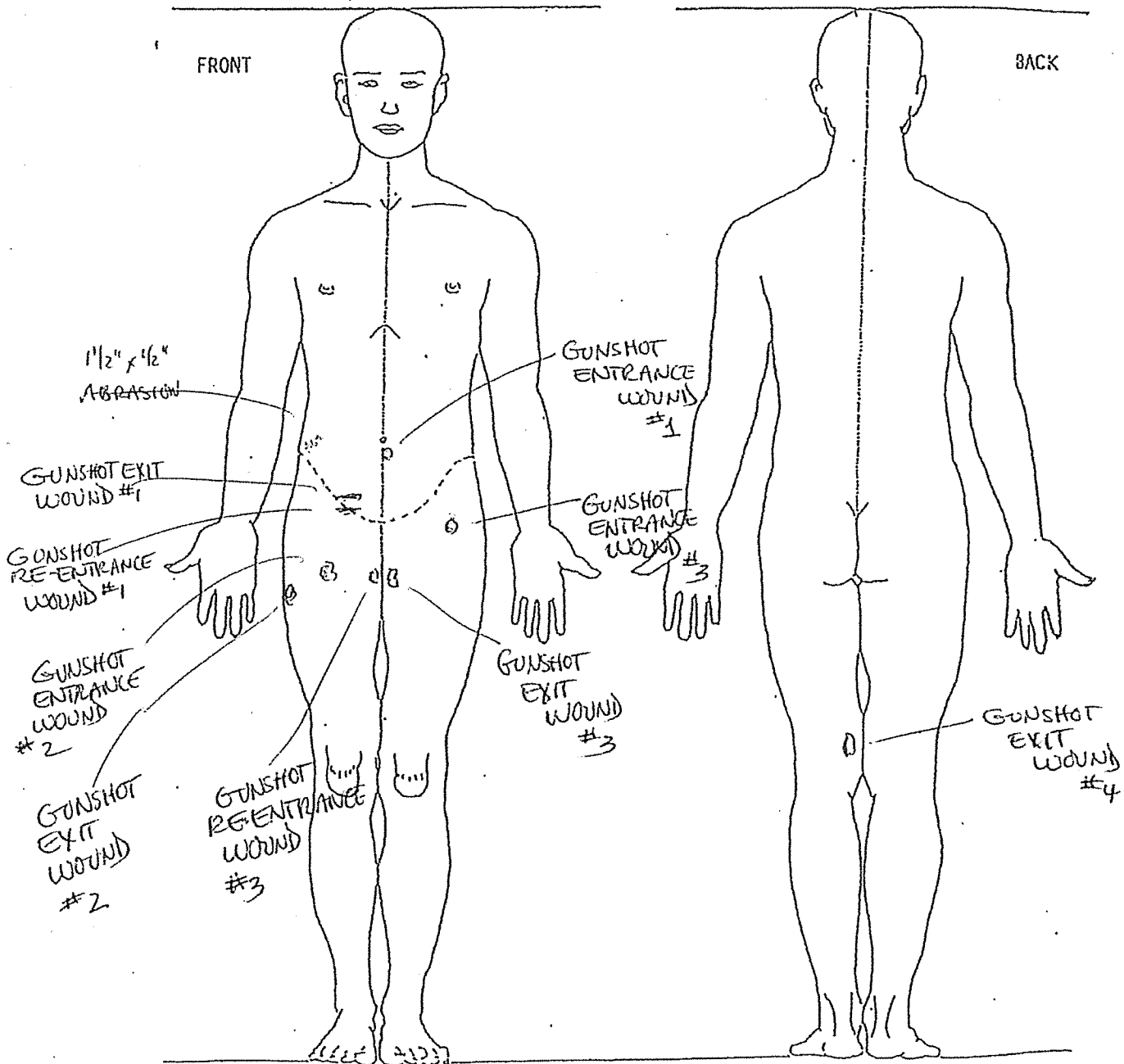
B18-606

Chapel Hill, North Carolina 27599-7580

Examined By: JS

Date: _____

BODY DIAGRAM: ADULT (Front/Back)



DEMR 1917 (4/97)
Medical Examiner

This form may be photocopied.

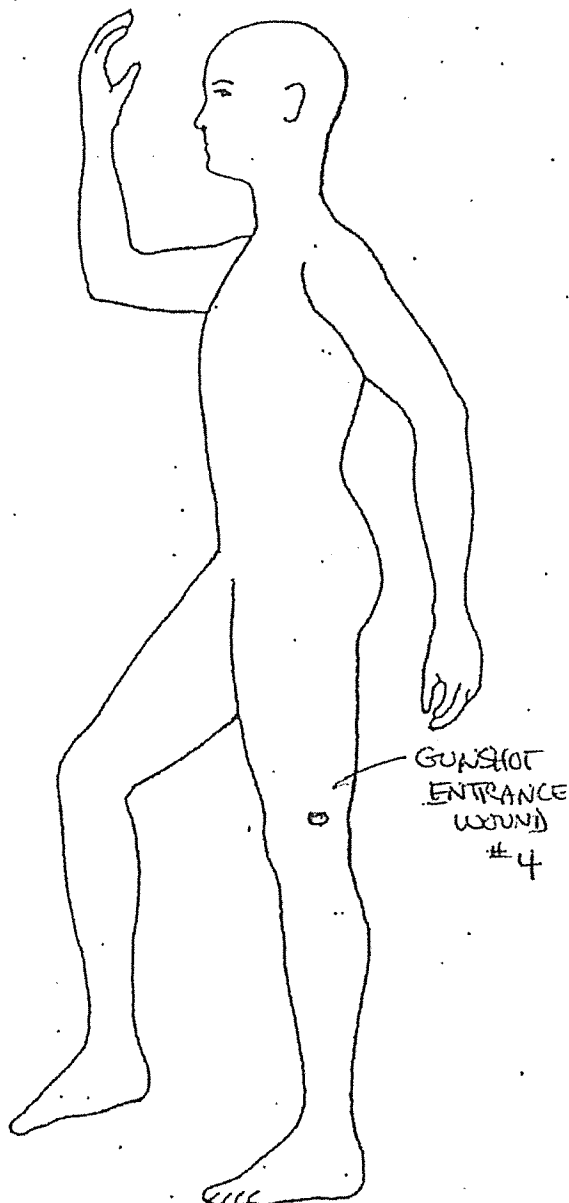
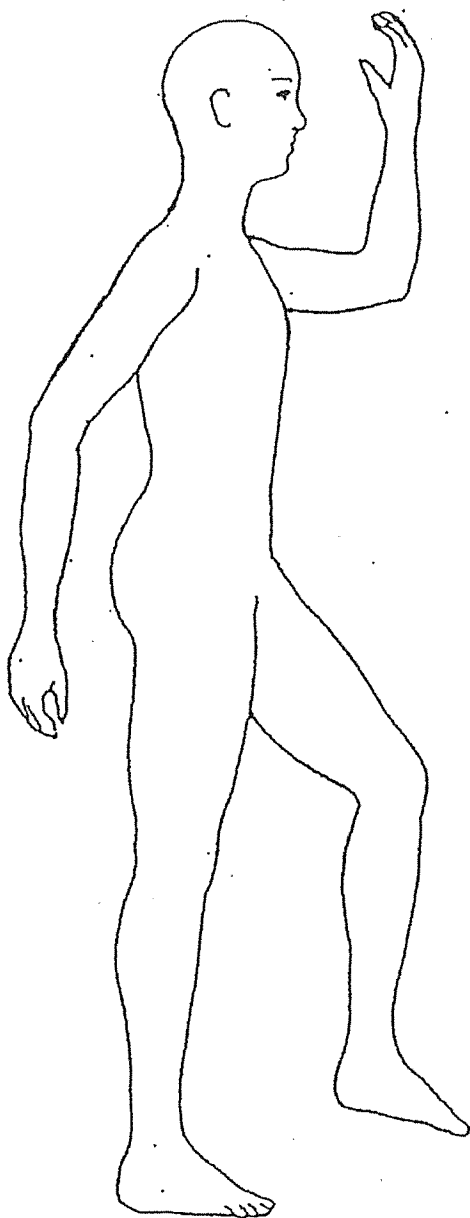
PAGE 3 OF 4

State of North Carolina
Mecklenburg County Medical Examiner's Office
Charlotte, North Carolina 28216

Name of Decedent: CHARLIE SHOUPÉ
Autopsy # B 18-606
Examined By: JS Date: _____

BODY DIAGRAM:

PROFILE (Left/Right)



DEHNR 3461 (4/97)
Medical Examiner

PAGE 4 OF 4

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Dollar, Joseph

From: noreply@dhhs.nc.gov
Sent: Monday, April 30, 2018 1:02 PM
To: Dollar, Joseph
Subject: [EXT] No Reply: OCME Toxicology F201800175

EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe.

TOXICOLOGY REPORT

Office of the Chief Medical Examiner Toxicology Folder: T201801382
Raleigh, NC 27699-3025 Case Folder: F201800175
Date of Report: 12-feb-2018
Page: 1

Det Joe Dollar
CMPD ADW-Homicide Unit
601 E Trade St
Charlotte, NC 28202

DECEDENT: Charlie Dean Shoupe Jr

Status of Report: Approved
Report Electronically Approved By: Justin Brower, PhD

* * *

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SPECIMENS received from J. Michael Sullivan on 08-feb-2018

S180004194: 17.0 ml Blood CONDITION: Postmortem
SOURCE: Heart OBTAINED: 03-feb-2018

Ethanol ----- None Detected 02/12/2018

S180004195: 12.0 ml Blood CONDITION: Postmortem
SOURCE: Iliac vein OBTAINED: 03-feb-2018

S180004196: 17.0 ml Urine
SOURCE: Urinary Bladder

CONDITION: Postmortem
OBTAINED: 03-feb-2018

S180004197: Liver
SOURCE: Liver

CONDITION: Postmortem
OBTAINED: 03-feb-2018

Accredited by the American Board of Forensic Toxicology, Inc.

043018 13:01 * * * E N D O F R E P O R T * * * B201800606

